

# EXHIBIT 5

1 IN THE UNITED STATES DISTRICT COURT FOR THE  
2 NORTHERN DISTRICT OF OKLAHOMA

3 AMANDA FEENSTRA and  
4 SHARONICA CARTER, et al.,

5 Plaintiffs,

6 VS. Case Number  
19-cv-234-JFH-FHM

7 JARED SIGLER, et al.,

8 Defendants.

9 WEB CONFERENCE DEPOSITION OF AMANDA FEENSTRA  
10 TAKEN ON BEHALF OF THE DEFENDANTS  
ON NOVEMBER 12, 2020, BEGINNING AT 9:03 A.M.  
11 IN EDMOND, OKLAHOMA  
(LOCATION OF REPORTER)

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24 (Appearances continued on page 2)

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STIPULATIONS

It is hereby stipulated and agreed by and between the parties hereto, through their respective attorneys, that the oral & web conference deposition of Amanda Feenstra may be taken on behalf of the Defendants, on November 12, 2020, in Edmond, Oklahoma, by Cheryl D. Rylant, Certified Shorthand Reporter, within and for the state of Oklahoma, taken pursuant to Notice and the Federal Rules of Civil Procedure.

\* \* \* \* \*

1 PROCEEDINGS

2 (Oath administered.)

3 THE REPORTER: If all present will announce  
4 your appearances and who you represent, then we can  
5 proceed.

6 MR. TERRILL: Steven Terrill on behalf of  
7 the Plaintiff.

8 MS. VAZOVA: Lilia Vazova of Latham &  
9 Watkins, also on behalf of the Plaintiff.

10 MR. WILLIFORD: Jon Williford on behalf of  
11 Craig Sutter and the OIDS Defendants.

12 MR. PEDERSON: Devan Pederson and  
13 Stefanie Lawson on behalf of the Defendant  
14 State Judges, Judge Thomas, Vaclaw, and Sigler.

15 THE REPORTER: Thank you.  
16 You can proceed, Devan.

17 AMANDA MARIE FEENSTRA,  
18 having been duly sworn, testifies as follows:

19 DIRECT EXAMINATION

20 BY MR. PEDERSON:

21 Q. Good morning, Ms. Feenstra. My name is  
22 Devan Pederson. I represent the Defendant State  
23 Judges in the case that you and Mr. Feenstra have  
24 filed, and I'm going to be asking you some questions  
25 today about that lawsuit and things related to it.

1 Do you understand that that's what the purpose  
2 of today's deposition is?

3 A. Yes, sir.

4 Q. Okay. And let me just go through some brief  
5 ground rules.

6 First let me ask you: Have you ever done a  
7 deposition before?

8 A. No, sir.

9 Q. Well, if I -- I'm going to be asking you a  
10 series of questions, and if you don't hear me or you  
11 don't understand me, please just ask me to repeat or  
12 rephrase and I'll be happy to do that.

13 A. Yes, sir.

14 Q. And I'll try to let you finish all your  
15 answers before I start talking again, and if you  
16 could let me finish my question before you start  
17 answering, that would be great.

18 A. Yes, sir.

19 Q. And it'll make it easier for the court  
20 reporter.

21 I know sometimes, in the course of  
22 conversation, people tend to talk over each other,  
23 it's natural. But, for today, if we could try to  
24 just let each other finish completely, then it'll be  
25 a lot cleaner. So, if you're willing to do that,



1     that's great.

2             A. Yes, sir.

3             Q. If you answer a question, I'm going to assume  
4     that you heard and understood it; is that fair?

5             A. Yes, sir.

6             Q. All right. Ms. Feenstra, could you state  
7     your name for the record?

8             A. Amanda Marie Feenstra.

9             Q. And, Ms. Feenstra, where are you today?

10            A. I'm in Tulsa, at Steven Terrill's office.

11            Q. And who all is with you?

12            A. My husband Lonnie, and Steven Terrill.

13            Q. Do you have -- were you able to get any  
14     documents printed out this morning for you to look  
15     at?

16            A. I don't, but my attorney does.

17            Q. Okay. Thank you.

18                   MR. TERRILL: Just a brief record: I'm  
19     hopeful that I have all the documents that were sent.  
20     They were sent just earlier, just briefly before the  
21     deposition. So I'll do my best to try and find them,  
22     but we do have a number of documents that we've  
23     printed out.

24                   MR. PEDERSON: Well, and I'll try to --  
25     Steven, I'll try to display these on the screen and

1 try to make real clear what we're talking about and  
2 give Ms. Feenstra time to look at them, as long as  
3 she needs.

4 BY MR. PEDERSON:

5 Q. Ms. Feenstra, let me show you a document  
6 here. I'm going to try and pull this up. Let's see.  
7 Hopefully, you're seeing a document. Are you able to  
8 see that?

9 A. Yes.

10 Q. Okay. And it's an Application For Appointed  
11 Counsel. And the file name on it is: "2014-11-12,  
12 Application For Appointed Counsel."

13 And I'm going to page through this and let you  
14 take a look at it. I'm going to ask you if you've  
15 ever seen it before. So let me page through and let  
16 you take a look.

17 MR. TERRILL: I think I have that document  
18 in front of her. Is that a three-page document?

19 MR. PEDERSON: Yes, it is. Okay.

20 Thanks, Steve.

21 BY MR. PEDERSON:

22 Q. Ms. Feenstra, have you had an opportunity to  
23 review the document that I just showed you,  
24 Application For Appointed Counsel?

25 A. Yes, sir.

1 Q. And have you seen that document before?

2 A. Yes, sir. I filled that out.

3 Q. And at that time, were you living with  
4 Mr. Feenstra?

5 A. Yes, sir.

6 Q. Were you married at that time?

7 A. No, sir.

8 (Reporter clarification.)

9 BY MR. PEDERSON:

10 Q. And who all lived in your household at the  
11 time you filled out this application for appointment  
12 of counsel?

13 A. My husband and myself because I believe my  
14 stepson had already went back to Kansas. I'm not for  
15 sure. I was in jail at that time.

16 Q. And immediately before --

17 A. This says 11/14; so that was November. So I  
18 was in -- I was in Washington County jail. My  
19 husband and my stepson were still in the house.

20 Q. Okay. And how old was your stepson at that  
21 time, if you remember?

22 A. This is 2 -- this is 20 -- 2020; so that was  
23 6 years ago. 10.

24 Q. Okay. And what was the purpose of filling  
25 out this form, to the best of your understanding?

1 A. Because I couldn't afford an attorney and I  
2 was in jail.

3 Q. And were you appointed an attorney?

4 A. I was.

5 Q. And who was that attorney?

6 A. It was a gentleman, and I forget his name.  
7 I'm not exact -- I don't remember his name. I know  
8 that he retired in the middle of my case, though.

9 Q. And did you meet with him to discuss your  
10 Washington County case?

11 A. I did.

12 Q. And when was the first time you met with him?  
13 Where were you at?

14 A. In the -- fixing to go in the courthouse --  
15 or into the courtroom. They had transported me from  
16 the county jail over to the courthouse, and he pulled  
17 me out of the courtroom and took me into an office  
18 and we talked.

19 Q. And about how long do you think you spoke  
20 with him at that time?

21 A. Five, 10 minutes.

22 Q. And what all did you talk about?

23 MR. TERRILL: Hold on. Just for purposes  
24 of the record, I want to let you know that we're not  
25 objecting as to the relevance here, admissibility,

1 but for the limited purpose of the deposition, we are  
2 going to agree to waive the claim of privilege with  
3 respect to the OIDS communications. I just want to  
4 put that on the record.

5 You can go ahead and answer.

6 THE WITNESS: Okay.

7 At that point in time, we were talking about  
8 doing drug court. He said that -- because I had  
9 filled out an application for drug court. And he  
10 said that he believed that he could get me drug court  
11 because the reason I was in jail -- even though it  
12 wasn't drug charges that I was in jail on, the things  
13 that I did was due to the use of drugs. And so he  
14 was trying to get me drug court. And that's what  
15 that court date was about.

16 And then, whenever we were actually supposed  
17 to go in to plead for court -- for drug court, he had  
18 retired and I got Linda Branstetter as my attorney.

19 BY MR. PEDERSON:

20 Q. Okay. And while I'm thinking about it, why  
21 don't we mark your -- the Application For Appointed  
22 Counsel that's file -- begins with 2014-11-12 as  
23 Exhibit 1.

24 (Whereupon, Deposition Exhibit No. 1 was  
25 marked for identification and made part of the

1 record.)

2 (Discussion had off the record.)

3 BY MR. PEDERSON:

4 Q. So the day you met with the attorney who  
5 retired -- the day you met with him for the first  
6 time and you talked about drug court, then you went  
7 back into court that day and he --

8 A. Yeah.

9 Q. -- appeared with you; is that right?

10 A. Sorry, I over-talked you. I apologize.

11 Q. No, no. I paused.

12 That first day you met with the attorney -- the  
13 one who retired and you talked about drug court, that  
14 day you met with him, after you finished talking with  
15 him, did you go back into court that day with him?

16 A. Yes, sir.

17 Q. And what was the purpose of that court  
18 appearance, if you know?

19 A. We ended up actually having a continuance  
20 because we were trying to do the drug court. But  
21 I believe that -- I'm not a hundred percent certain,  
22 but I believe that that was supposed to be my  
23 preliminary.

24 Q. And was the judge Judge DeLapp?

25 A. Yes.

1 Q. Okay. And so that got continued.

2 And when was the next time you spoke with that  
3 attorney?

4 A. I never spoke with him again. I got  
5 Linda Branstetter as an attorney, and I got a letter  
6 in the mail at the jail telling me that he had  
7 retired and that I had a new attorney -- or that I  
8 would be receiving a new attorney.

9 Q. And when did you first have a meeting with  
10 Ms. Branstetter?

11 A. The morning before I was sentenced.

12 Q. And what did you and Ms. Branstetter talk  
13 about at that meeting?

14 A. She came to the jail, and I met her through  
15 glass. And she told me that -- because we had court  
16 that afternoon. And she told me that I needed to  
17 take this plea agreement. And I was taken way far  
18 aback. And I was like, "Whoa, I thought I was doing  
19 drug court. I thought that's what we were -- that's  
20 what was taking place."

21 She proceeded to tell me that the courts  
22 refused; they would not give me drug court; there was  
23 nothing she could do about it, that I was going to  
24 prison. And I was like, "I mean, I have -- I've  
25 wrote you letters. I've tried to get you to come

1 talk to me. This is the first time you're talking to  
2 me. And you're telling me that I'm being sentenced  
3 today and I have to take prison time."

4 And she told me that I if I did not take that  
5 plea agreement, that they would take me to trial and  
6 they would sentence me to life in prison because of  
7 my prior convictions. And I told her -- I was like,  
8 "You're telling me I'm going to get life in prison  
9 over these charges?" And she told me yes. Because  
10 of my prior charges, that if I did not take the plea  
11 agreement that was set in front of me, no matter what  
12 it was, that I was going to get life in prison. And  
13 it was 7 years in prison. And I don't remember --  
14 I think it was 2 out, but I'm not for sure on how  
15 many years out. And then it was fines and costs.

16 And I asked her if she -- if there was any way  
17 that she could get it lowered to 6 years -- I think  
18 it was 6 and 3, I -- I believe. I'm not a hundred  
19 percent certain on that, though. And she told me  
20 that she didn't think that she could do that, but she  
21 would try.

22 And so we went into court that afternoon, and  
23 that's what ended up happening, was she got it  
24 lowered to 6 in, 3 out, I believe. And -- and I  
25 signed for fines -- or for fines and costs. I told



1 her at that point in time that I was not going to be  
2 able to pay that, that I knew I wasn't going to be  
3 able to pay that. And she told me that if I fought  
4 that, that they would take me to trial and put me  
5 life in prison.

6 So I signed the plea agreement. I told  
7 Judge DeLapp at sentencing -- after he sentenced me,  
8 whenever he asked if there was anything I had to say,  
9 I told him at that point in time I couldn't pay these  
10 fines and costs. I knew I wasn't going to be able  
11 to. He proceeded to tell me, when I got out of  
12 prison, that I could work for him at the courthouse  
13 1 or 2 days a month, and that would pay my fines for  
14 that month.

15 When I got out of prison, he had retired or  
16 whatever it was that he had done; so I wasn't able to  
17 do that.

18 **Q. Have you ever seen a transcript of your**  
19 **sentencing?**

20 A. No.

21 **Q. Was there a hearing prior to your sentencing**  
22 **where there was a misunderstanding about the nature**  
23 **of the sentence and the sentencing got continued to a**  
24 **later date?**

25 A. I'm not for sure. Not that I -- not that I

1 recall.

2 MR. TERRILL: For purposes just of clarity,  
3 are we talking about Washington County?

4 MR. PEDERSON: Yes, sir.

5 BY MR. PEDERSON:

6 Q. So let me ask that again.

7 In Washington County, before the sentencing you  
8 just told us about, was there a prior hearing where  
9 you were going to be sentenced, but then that  
10 sentencing got continued to a later date; do you  
11 recall?

12 A. Not that -- I mean, not unless it was  
13 whenever we were continued because I was going to do  
14 drug court. That's the only thing. I don't remember  
15 anything, other than what I just told you.

16 Q. Let me show you another document here. Give  
17 me one second.

18 Are you able to see a document on your screen?

19 A. Yes.

20 Q. This is a file named: "2015-4-29, Plea of  
21 Guilty Summary of Facts." And do you happen to have  
22 that in hard copy form?

23 MR. TERRILL: Give me one moment, Counsel.  
24 How many pages is this?

25 MR. PEDERSON: 12 pages.

1 MR. TERRILL: No. Just wait until he asks  
2 a question.

3 THE WITNESS: No. I was going to tell you  
4 something.

5 MR. TERRILL: I know. But you're on the  
6 record. And he's asking questions; I'm not.

7 THE WITNESS: Okay.

8 BY MR. PEDERSON:

9 Q. Ms. Feenstra, have you had a chance to review  
10 the Plea of Guilty and Summary of Facts in the file  
11 titled: "2015-04-29 Plea of Guilty Summary of  
12 Facts"?

13 A. Yes, sir.

14 Q. Have you seen that document before?

15 A. Yes, sir.

16 Q. Now, you say you spoke with Ms. Branstetter  
17 at the jail. About how long was that conversation  
18 with Ms. Branstetter that you had that first time in  
19 the jail?

20 A. I couldn't, honestly, tell you.

21 Q. Was it more than an hour? Less than an hour?

22 A. Way less than an hour.

23 Q. 30 minutes? Less than 30 minutes?

24 A. Approximately.

25 Q. And prior to your sentencing, did you have

1 any other meetings or conversations with  
2 Ms. Branstetter?

3 A. No.

4 Q. And your sentencing was later that day?

5 A. Yes.

6 Q. Did you and Ms. Branstetter discuss your  
7 Woodward County case during that meeting?

8 A. Briefly. Not -- she just said that that's  
9 the reason why they could give me life, was because  
10 of my priors in Woodward.

11 Q. And did you have a 20-year suspended sentence  
12 in Woodward County -- do you remember? -- at that  
13 time?

14 A. No, sir.

15 Q. What was the disposition of that  
16 Woodward County case, if you recall?

17 A. I was sentenced in 2010 to 7 years in prison  
18 and 18 out of prison. And I completed my -- and it  
19 was balanced suspended upon completion of RSAT, and I  
20 finished that in September of 2012.

21 Q. I'm going to show you another document here.

22 MR. TERRILL: Are we done with the  
23 previous?

24 MR. PEDERSON: Let's mark that previous one  
25 as Exhibit 2. Exhibit 2 is the plea form.

1 (Whereupon, Deposition Exhibit No. 2 was  
2 marked for identification and made part of the  
3 record.)

4 MR. PEDERSON: And we'll mark this next one  
5 that I'm getting ready to show you as Exhibit 3.  
6 It's going to be a docket sheet from Woodward County.

7 (Whereupon, Deposition Exhibit No. 3 was  
8 marked for identification and made part of the  
9 record.)

10 BY MR. PEDERSON:

11 Q. And the title of that file is: "Dkt.  
12 State v. Ackerson CF-2010-8 Woodward."

13 MR. TERRILL: Counsel, I don't have that  
14 one; so she'll have to rely on the screen.

15 MR. PEDERSON: Okay. Let me look here.  
16 One second.

17 BY MR. PEDERSON:

18 Q. And, Ms. Ackerson [sic], do you see what  
19 we've marked as Exhibit 3?

20 A. I see -- on the screen? Yes.

21 Q. It looks like the judge was Don Work, and you  
22 were represented by OIDS of Clinton, Oklahoma.

23 Do you recall that?

24 A. Yes.

25 Q. Is this the Woodward County case you were

1 telling me about a little bit ago?

2 A. Yes, sir.

3 Q. And do you see a docket entry July 19th,  
4 2010, Judgment & Sentence, Count 1, 25 years DOC;  
5 Count 2, 25 years DOC, with all except first 7 years  
6 suspended?

7 Do you recall that as the judgment and sentence  
8 in the Woodward County case?

9 A. It should say at the end of that upon  
10 completion of RSAT. But that -- that was the  
11 sentencing, yes. It just -- it was with all except  
12 for 7 years suspended with DOC upon completion of  
13 RSAT, is what I was sentenced to.

14 Q. Okay. And what's RSAT?

15 A. Residential Substance Abuse [sic] Treatment.

16 Q. And did you complete that?

17 A. I completed it in September of 2012.

18 Q. And is it your understanding that that  
19 terminated the sentence?

20 A. Because I completed it, yes.

21 Q. And was it your understanding that that  
22 sentence, that suspended sentence, the part that was  
23 suspended could not be revoked after you completed  
24 that RSAT program?

25 MR. TERRILL: Object to form.

1           You can answer.   You can answer.

2           THE WITNESS:   I'm not -- I don't  
3   understand -- like, repeat the question.   I didn't  
4   understand what you were...

5   BY MR. PEDERSON:

6           Q. Well, let me break it down.

7           When you get a suspended sentence, like  
8   25 years with all but the first 7 suspended, do you  
9   understand what that means?

10          A. It means that I have to spend the 7 years --  
11   I had to spend 7 years -- I had to complete my time  
12   in DOC.

13          Q. Right.

14          And what happens to the last part of that  
15   25 years that's suspended?

16          A. You're on probation until they release you.

17          Q. And are you still on probation in  
18   Woodward County?

19          A. I don't know if I'm on probation or if I'm  
20   on -- I mean, I might be on unsupervised; I might be  
21   on probation.   I'm not for sure.   I mean, I go back  
22   and forth to court on fines and cost dockets, but  
23   that's it.

24          Q. Did Ms. Branstetter ever tell you that there  
25   was a risk that if you didn't take the deal in the

1 Washington County case, that your suspended sentence  
2 in Woodward County can be revoked and you would have  
3 to spend 25 years in DOC?

4 A. No. She never told me that. Not that I  
5 recall, no.

6 Q. Okay. And I'm going to go back to Exhibit 2  
7 now, the Plea of Guilty Summary of Facts.

8 And you do have this one in paper form;  
9 correct?

10 A. Yes, sir.

11 Q. And I just want to go through this briefly  
12 with you. Well, let me ask you first: Did you and  
13 Ms. Branstetter go over this form?

14 A. By the time she got to this form, I was so  
15 upset, that I wasn't paying attention to what she had  
16 to say.

17 Q. And was that at your meeting in the jail that  
18 you've talked about?

19 A. This happened -- the signing of this, going  
20 over this, I believe -- I don't know if -- I don't  
21 remember if it was in the jail or if it was outside  
22 the courtroom whenever we went over this. I -- or if  
23 it was -- I think we might have even been sitting in  
24 the courtroom at the table, but I'm not for sure.

25 Q. And what do you recall about your discussions



1 with Ms. Branstetter about Exhibit 2, the plea form  
2 that we're looking at now?

3 A. Like I said, by the time we got to this  
4 point, I was so pissed off, that I -- I wasn't really  
5 even paying attention to what she had to say. I  
6 was -- I asked for a different attorney and  
7 everything. I didn't want her.

8 Q. And who did you -- who did you ask that of?

9 A. I told her I didn't want her as an attorney  
10 if she wasn't going to fight for me. And she told me  
11 that she did everything that she could possibly do,  
12 and that if I did that, it was just going to delay me  
13 being in jail longer, and that I wasn't going to --  
14 that I would be there longer. And I didn't want to  
15 be there any longer; so I just did what she told me  
16 to do.

17 Q. What did you tell her that you wanted to do?

18 A. I wanted drug court. I wanted her to fight  
19 for drug court for me because my previous attorney  
20 was fighting for drug court for me because that's the  
21 reason I was doing the things I was doing. I wanted  
22 help with my drug addiction.

23 Q. And Ms. Branstetter told you that she  
24 wouldn't be able to get drug court for you?

25 A. Yes. That's what she told me.

1 Q. Did she say why?

2 A. No, she did not.

3 Q. When she told you that you could -- did she  
4 talk to you about what might happen if you went to  
5 trial on the Washington County charge?

6 A. That I would get life in prison.

7 Q. And did you have a reason to not believe her  
8 on that?

9 MR. TERRILL: Object to form.

10 You can answer. You can still answer.

11 THE WITNESS: I mean, she was an attorney;  
12 so she knew more than what I knew.

13 BY MR. PEDERSON:

14 Q. And so, if the alternatives were life in  
15 prison or the deal that you ultimately got in  
16 Washington County, the deal you ultimately got in  
17 Washington County is preferable to life in prison;  
18 correct?

19 A. That's why I took the deal, yes.

20 Q. And so your complaint about Ms. Branstetter  
21 is that she didn't try to get drug court for you like  
22 the first lawyer told you that he would try to do; is  
23 that right?

24 A. Not only that. She didn't -- she never  
25 answered any of my letters; she didn't come see me;

1 she didn't let me know what was going on in the case;  
2 she didn't do anything that I asked her to do.

3 She didn't work for me, is what my complaint  
4 is.

5 **Q. Okay. How many letters did you send to her?**

6 A. At least four.

7 **Q. And what did those letters say?**

8 A. I tried to call her, and I told her I tried  
9 to call her. And I asked her if she would come and  
10 let me know what was going on. I asked her to come  
11 meet with me, and she never did.

12 **Q. Do you still have those letters?**

13 A. I do not. I didn't have a way to copy those  
14 letters. I sent them out in the mail at the jail.

15 **Q. And did you attempt to call Ms. Branstetter**  
16 **while you were in the jail?**

17 A. I did. And she never answered the call.

18 **Q. How many times did you try to call her?**

19 A. The week before court, every day.

20 **Q. Were any of those calls accepted?**

21 A. No.

22 **Q. Is it a system in the jail where you don't**  
23 **get to talk; you have a recording that says you're**  
24 **being called from Washington County jail or something**  
25 **along those lines? Do you --**

1 A. I believe so.

2 Q. You believe so?

3 Let me ask you this: If Ms. Branstetter was  
4 correct, that the deal that you got in Washington  
5 County was better than what you could have gotten by  
6 going to trial, would you agree that she didn't do  
7 anything wrong with respect to her recommendation for  
8 you to take this deal?

9 MR. TERRILL: Object to form; calls for  
10 speculation.

11 You can answer.

12 THE WITNESS: No, I don't. I think that  
13 she still did wrong.

14 BY MR. PEDERSON:

15 Q. By not taking your calls and coming to visit  
16 you sooner?

17 A. And letting me know what was going in the  
18 case. And, like I said, whenever I told her I didn't  
19 want her as an attorney anymore. Like her telling me  
20 that I had to or, else, I would be there longer.

21 Q. And you also had prior convictions other than  
22 the Woodward County conviction at the time that you  
23 took the plea deal in Washington County; is that  
24 right?

25 A. I had Woodward County and -- because

1 Washington County was my last.

2 So I had a prior conviction in Woodward County,  
3 a prior conviction in Osage -- no, not Osage -- Grady  
4 and Garvin and Garfield, I think is all of -- yeah.

5 **Q. So each one of those, were those felony**  
6 **convictions?**

7 A. Garfield County -- Garfield County was a  
8 misdemeanor. Garvin County was a felony. And  
9 Grady County was a felony. But I had completed --  
10 I believe I had completed all of my probation and  
11 stuff from those counties.

12 **Q. And what was the felony charge in Garvin?**

13 A. Uttering a forged instrument, I believe.

14 **Q. And what about Grady?**

15 A. Uttering a forged instrument, I believe.

16 **Q. And the misdemeanor in Garfield?**

17 A. Petty larceny.

18 **Q. On Exhibit 2, Plea of Guilty Summary of**  
19 **Facts, on paragraph 5 there it says, "Can you read**  
20 **and understand this form?" And it's circled "Yes."**

21 Did you go over that question with  
22 **Ms. Branstetter?**

23 A. Again, like I said, I was so mad at this  
24 point in time, as we went over this form, I do not  
25 know what she said. She answered the questions. She

1 filled this whole form out. I did not fill it out.

2 Q. Tell me this: The response to Number 5, "Can  
3 you read and understand this form?" Could you read  
4 and understand the form at that time?

5 A. Had I not been upset and actually read it,  
6 yes, I would have been able to.

7 Q. Number 6:

8 "Are you currently taking any  
9 medications or substances which affect your  
10 ability to understand these proceedings?"

11 It's circled "No." Is that correctly  
12 answered?

13 A. I did not circle no. She circled no. And at  
14 that point in time, I was still coming out of the  
15 influence of methamphetamine.

16 Q. And how long ago had it been since you had  
17 had methamphetamine?

18 A. Whatever day I was arrested was the last day  
19 that I used.

20 Q. And are you -- are you asserting that that  
21 methamphetamine use made it so you didn't understand  
22 this form?

23 A. No. I said that I was still coming out of  
24 the influence of methamphetamines. It takes almost a  
25 year for it to get out of your system.

1 Q. So you could understand the form,  
2 notwithstanding the methamphetamine use?

3 MR. TERRILL: Object to form. I think  
4 she's been pretty clear that she was pretty angry at  
5 the time. And if she had been not so angry, that she  
6 could have understood and appreciated the form and  
7 the conversation with Ms. Branstetter.

8 BY MR. PEDERSON:

9 Q. Is that your testimony?

10 A. Yes.

11 Q. And Number 7:

12 "Have you been prescribed any  
13 medication that you should be taking but are  
14 not taking?"

15 That's circled "No."

16 Did Ms. Branstetter correctly answer Number 7?

17 A. Actually, no, she didn't. I was supposed --  
18 I was prescribed -- whenever I was arrested in  
19 October, I was taking Lexapro. And it was something  
20 for my -- I was taking stuff for depression and  
21 anxiety, and it was not prescribed to me back at the  
22 jail because they said that they were -- like, the  
23 anxiety medicine was a narcotic, I guess. I guess --  
24 whatever. It started with a C; I don't remember what  
25 it was called. So I wasn't able to take them at the

1 jail, but I was prescribed them to take them.

2 Q. And not taking that medication, did that  
3 cause you to not be able to understand documents that  
4 you were presented with?

5 MR. TERRILL: Object to form.

6 You can answer, if you know.

7 THE WITNESS: No. I don't believe so. I  
8 mean, they were just for depression and anxiety.  
9 They didn't -- they don't clog my judgment, I don't  
10 believe.

11 BY MR. PEDERSON:

12 Q. What was your understanding of what the  
13 plea agreement was that Ms. Branstetter was  
14 recommending that you take?

15 A. That I had to spend 6 years in prison, and  
16 that I -- I thought it was 3, but it just says 6 out.  
17 So -- and then I had to pay the \$500 fine, the \$250  
18 fine, the other 250 OIDS, and then the 2,885 as  
19 restitution. So it would have been, like, a \$3800 --  
20 \$3900 total on what I should have had to pay.

21 Q. And at the time that you were sentenced, you  
22 understood that that was part of the sentence; is  
23 that correct?

24 A. That I had to pay the 3900?

25 Q. Yes.



1 A. I did.

2 Q. And as well as the \$500 fine, the 250 VCA,  
3 costs --

4 A. Right. I added that in with the 2800 down  
5 there -- or the 2900 down there in the corner.  
6 That's why I said 3900.

7 Q. And it also says -- do you see where it says  
8 on 23 on like -- on the fourth line down, it says  
9 "JIF"? Do you see that?

10 A. I see that.

11 Q. Do you know what that stands for?

12 A. No.

13 Q. Did Ms. Branstetter ever talk to you about  
14 jail incarceration fees?

15 A. Not that I know of. Not that I recall, no.

16 Q. At the time you were sentenced, were you  
17 aware that you would have to pay a certain daily  
18 amount for the days that you had been in jail?

19 A. Not that I was aware of, no.

20 Q. Did you go over -- well, let me ask you  
21 first: On Number 23, do you know who wrote in these  
22 blank lines here?

23 A. It looks like Ms. -- the rest of it; so I  
24 would say Ms. Branstetter, but I'm not a hundred  
25 percent certain.

1 Q. And did you see this before you were  
2 sentenced?

3 A. I can't tell you that for sure. I don't  
4 know.

5 Q. In any of your other cases, as part of your  
6 sentence, were you required to pay jail fees, based  
7 on the number of days you had been in jail?

8 A. In Woodward County, yes.

9 Q. And was that -- and that occurred -- you were  
10 sentenced in Woodward County prior to the time you  
11 were sentenced in Washington County; is that --

12 A. That's true.

13 Q. So you were aware, at the time you were  
14 sentenced in Washington County, that jail  
15 incarceration fees could be part of the costs that  
16 you had to pay; is that correct?

17 A. In Woodward County, yes. Not Washington  
18 County.

19 Q. When you were sentenced in Woodward County,  
20 did anyone explain to you that you would have to pay  
21 jail incarceration fees?

22 A. That -- it was so long ago, I can't recall  
23 that. I know that after I got out of -- I checked  
24 into it after I was released from prison, and that's  
25 when I got all of my details on what I had to do.

1 Q. At the time you were sentenced in Washington  
2 County, you were aware that you were having to pay  
3 jail incarceration fees in Woodward County; is that  
4 right?

5 A. I was aware that I had to pay fines and costs  
6 and restitution, is what I was aware of. That's what  
7 I was paying.

8 Q. From Washington County?

9 A. From Woodward County.

10 Q. All right. And are you saying that at the  
11 time you were sentenced in Washington County, you  
12 weren't aware that you were having to pay jail  
13 incarceration fees in Woodward County?

14 A. I did not get a breakdown of what I was  
15 paying in Woodward County until I was released from  
16 prison in 2017.

17 Q. And so was that the first time you realized  
18 you were paying jail incarceration fees in  
19 Woodward County?

20 A. Yes, sir. I believe that I -- that I  
21 remember, yes, sir.

22 Q. And if you could look at Number 28 where it  
23 asks, "Did you commit the acts as charged in the  
24 Information?" and "State the factual basis for your  
25 plea." If you could take a moment and read through

1     **that.**

2           A. Okay.

3           **Q. Do you know who wrote this on Number 28?**

4           A. I do not.

5           **Q. Do you think it could have been**

6     **Ms. Branstetter?**

7           A. It could have been.

8           **Q. Is Number 28 correctly answered?**

9           A. No.

10          **Q. And what is not correct about the factual**  
11     **basis for your plea there in Number 28?**

12          A. Where it says, "I conspired with Lonnie  
13     Feenstra to commit the above forgery and identity  
14     theft. All counts were committed in Washington  
15     County, Oklahoma," yes, all county -- they were all  
16     committed in Washington County. But I did not  
17     conspire with Lonnie Feenstra to do so.

18          **Q. Other than conspiring with Lonnie Feenstra,**  
19     **is the rest of 28 correct?**

20          A. I don't believe it was two checks to  
21     Bob Loftis. I believe it was one check. But I  
22     don't -- but I'm not a hundred percent certain on  
23     that. I do know that it was to Bob Loftis and that I  
24     bought furniture.

25          **Q. Anything else not correct about Number 28?**

1 A. Angela Feenstra did know that I had her  
2 information, and she had given me permission to use  
3 her name when I was pulled over. But she did not  
4 know about the checks. So...

5 Q. On Number 29, it says:

6 "Have you been forced, abused,  
7 mistreated, or promised anything by anyone to  
8 enter your plea?"

9 It says "No."

10 Is that correct?

11 A. You have not been forced -- well, I kind of  
12 was forced because she told me -- I mean, I don't  
13 know how to answer that a hundred percent certain.

14 Q. Well, my understanding is you were unhappy  
15 with it because you wanted to try for drug court and  
16 she was telling you this is the best deal you can  
17 get.

18 A. Yes.

19 Q. Is that your hesitance on -- your hesitation  
20 on Number 29?

21 A. Yes.

22 Q. On Number (1), where it says "check one,"  
23 (b) is marked, which states:

24 "My attorney completed this form and  
25 we have gone over the form and I understand

1 its contents and agree with the answers."

2 Did you see that before this form was  
3 submitted?

4 A. Again, I was so angry at the point in time  
5 that we went over this, I don't know.

6 Q. Did you read this form before it was  
7 submitted to the court?

8 A. No. Not that I recall, no.

9 Q. And then, on page 10 of Exhibit 2, it's got a  
10 section on "Fines and Costs." Do you see that?

11 A. Yes.

12 Q. It says, in the last sentence:

13 "You are ordered to report to the cost  
14 administrator of the Washington County Court  
15 Clerk's Office, either immediately upon  
16 completion of sentencing or within 2 business  
17 days of your release if you are incarcerated  
18 to set up a payment plan."

19 Were you aware of that requirement that was  
20 in this form?

21 A. I don't know if I was aware of it being  
22 that -- I don't know how -- I know that whenever I  
23 was released from prison, I did contact my counties  
24 to find -- to set things up. But I don't know if I  
25 was aware of that on this or if I just knew that

1 from -- from prior. I don't know. I knew that I had  
2 to contact them; so I did.

3 **Q. At the time you were sentenced, you knew you**  
4 **would have to contact them upon being released at**  
5 **some point?**

6 A. Yes.

7 MR. TERRILL: Devan, is now a good time --  
8 we've been going for about an hour -- to take a  
9 break?

10 MR. PEDERSON: Sure.

11 THE REPORTER: We're off the record at  
12 9:58 a.m.

13 (Break was taken: 9:58 a.m. to 10:11 a.m.)

14 THE REPORTER: We are back on the record.  
15 The time is 10:11 a.m.

16 BY MR. PEDERSON:

17 **Q. Ms. Feenstra, when you went to court to --**  
18 **for your sentencing in Washington County, tell me the**  
19 **best you can recall what happened at that hearing.**

20 A. Again, my sentence ended up being, I guess,  
21 the 6 in, 6 out. But I also got upon completion of  
22 RSAT, too, because I had asked the judge about --  
23 Mr. DeLapp about drug treatment. Whenever he asked  
24 me if I had anything to say, I had asked him for help  
25 with my drug addiction. And so he gave me the RSAT

1 program in prison again, which, I mean, was an okay  
2 program, but it wasn't -- I mean, it didn't really  
3 help with outside life things. It just helped with  
4 you -- your life inside of prison. So I was kind of  
5 looking for something more than that.

6 But then I had also talked to him about the  
7 fines and costs matter and told him that I knew I  
8 wasn't going to be able to pay those. And DeLapp  
9 told me that whenever I was released from  
10 incarceration, to come see him, and that we would  
11 work out a way for me to work at the courthouse to be  
12 able to pay my fines and costs, since I knew I wasn't  
13 going to be able to pay them. And then I was  
14 sentenced and I went back to jail.

15 Q. And did you tell -- did you tell the court  
16 that you wanted to enter into this plea agreement  
17 that we -- that we just went over on the form,  
18 Exhibit 2, at the time of sentencing?

19 A. Yes. I believe so.

20 Q. And did you confirm with the court -- did the  
21 court ask you questions about the things that were on  
22 the plea form, Exhibit 2, and ask if you agreed with  
23 it?

24 A. I don't remember.

25 Q. Did you give truthful answers to the court at



1 that time?

2 A. I believe that I did, yes.

3 Q. And if you could look back -- I'll pull this  
4 up again. Do you see on Number 3 on Exhibit 2, which  
5 is the Plea of Guilty Summary of Facts:

6 "I understand that may be prosecuted  
7 for perjury if I've made false statements to  
8 this Court."

9 Were you aware of that at the time that  
10 you -- that you were sentenced and that you gave your  
11 testimony to the court?

12 A. Okay. So again, with this affidavit, this  
13 paper, I was so angry, I don't know what it said. I  
14 don't recall what it said. But, by knowledge, I know  
15 that you can not lie to the court, and I do not  
16 believe that I did.

17 Q. All right. Give me just one second here.  
18 Can you see anything -- do you have any documents on  
19 your screen?

20 A. No, sir.

21 Q. Are you able to see a document on your screen  
22 now?

23 A. Yes.

24 Q. Okay. We'll mark this one as  
25 Exhibit 3 [sic], and the title of it is:

1 "2017-01-20, Notice of Court Hearing for Fines and  
2 Costs."

3 (Reporter clarification.)

4 (Whereupon, Deposition Exhibit No. 4 was  
5 marked for identification and made part of the  
6 record.)

7 BY MR. PEDERSON:

8 Q. Do you have this document in paper form,  
9 Ms. Feenstra?

10 A. I think my attorney is looking for it.

11 Q. Okay. I'll give him a chance to look for  
12 that.

13 A. Just the one page?

14 Q. Yes. It's one page.

15 A. Okay. We have it.

16 Q. Have you ever seen that document before; do  
17 you remember?

18 A. I don't recall this, but I -- I mean, it's my  
19 signature; so, yes.

20 Q. You don't have any reason to think that you  
21 didn't sign it?

22 A. No.

23 Q. And looking at this document, do you know  
24 when you might have received this, where you were  
25 when you received this?

1 A. I actually -- okay. So I believe that this  
2 is what was mailed to me -- okay. So -- yeah. This  
3 was mailed to me at the halfway house that I was at.  
4 And I signed it and sent it back.

5 Q. Okay. And it says there:

6 "Within 3 days" -- I'll give me a  
7 chance to look there -- "you are to appear  
8 before the honorable judge blank of  
9 Washington County within 72 hours of release,  
10 3 days, to determine your ability to pay your  
11 fines and costs. Failure to attend this  
12 hearing could result in further imprisonment  
13 in the Washington County jail."

14 Do you see that?

15 A. I do.

16 Q. Did you understand when you looked at this  
17 document that you needed to appear at Washington  
18 County upon your release to make arrangements about  
19 your fines and costs?

20 A. I did not appear. This -- this was actually  
21 signed the date that I was out -- that I -- well, it  
22 says signed this 20th day of January of 2017. That's  
23 the day that I was released from prison. And I  
24 called and talked to the court clerk to set up my  
25 payment arrangement because I lived in Claremore and

1 I didn't have a driver's license. So they sent this  
2 to me, I filled it out, and I sent it back to them.  
3 And then I started my fines and costs.

4 **Q. Did you ever go to the court and talk with**  
5 **the court clerk's office before you started paying**  
6 **off your fines and costs on the installment plan?**

7 A. No. I talked to them on the phone. And  
8 then, whenever I started having -- whenever I moved  
9 out of the transitional living home is when I went to  
10 court and talked to Judge Sigler about my fines and  
11 costs because I couldn't afford to pay them.

12 **Q. Okay. Let me pull up another document here.**

13 MR. PEDERSON: We'll mark this one as  
14 Exhibit 5.

15 (Whereupon, Deposition Exhibit No. 5 was  
16 marked for identification and made part of the  
17 record.)

18 BY MR. PEDERSON:

19 **Q. And the title of this document is:**  
20 **"2017-02-02, Order Granting Time to Pay Fines and**  
21 **Costs."**

22 **And I'll let you see if your attorney has this**  
23 **one for you.**

24 THE WITNESS: It says January 2nd, '17, is  
25 what it says -- February 2nd, '17, is the date

1 signed. Yeah, that's it.

2 Okay.

3 BY MR. PEDERSON:

4 Q. Now, did you go to court to get this document  
5 or was it mailed to you or what do you recall about  
6 this document?

7 A. I don't remember how I got it. I don't know  
8 if I -- I don't remember if I was in court or -- I  
9 just don't -- I don't remember if I was in court or  
10 if this one was mailed to me. I know the first one  
11 was mailed to me.

12 Q. But do you remember getting this document at  
13 some point?

14 A. Yes.

15 Q. Okay. Does it appear to be an accurate copy  
16 of the document that you received?

17 A. I believe so, yes.

18 Q. And it looks like it has written up here:  
19 "Released from DOC 1/20/17." Do you know if that's  
20 right?

21 A. Yes.

22 Q. When you called the court clerk after you got  
23 that Exhibit 4 that we looked at previously, the  
24 notice of court hearing for fines and costs -- you  
25 said you called the court clerk; is that right?

1 A. Yes.

2 Q. And who did you talk to, if you remember?

3 A. I don't remember.

4 Q. And what was the nature of that discussion --  
5 of that communication?

6 A. I called to let them know that I was released  
7 from prison and needed to set up my fines and costs,  
8 where I was living, and where I was working,  
9 I believe.

10 Q. And what did they tell you?

11 A. They told me I needed to come in to the  
12 courthouse, and I told them that I had no way of  
13 doing that, that I lived in Claremore. I had no  
14 transportation, no driver's license. So they sent me  
15 that paper and I mailed it. And then they told me  
16 that I had to be there -- I don't remember when I had  
17 to be there, but I had to be there within a certain  
18 time period or something. And my mother-in-law come  
19 and got me and took me. And we went to court. And  
20 then I -- I don't know if this is when I got that  
21 or... I don't remember.

22 Q. Okay. And is that Lonnie's mom?

23 A. Yes.

24 Q. What's her name?

25 (Reporter clarification.)

1 BY MR. PEDERSON:

2 Q. I'm sorry. What is Lonnie's mom's name?

3 A. LaLoni Coble, L-A-L-O-N-I. Last name is  
4 C-O-B-L-E.

5 (Reporter clarification.)

6 BY MR. PEDERSON:

7 Q. Sorry. I have things popping up on my screen  
8 here and I'm getting rid of them.

9 A. You're okay.

10 Q. So it looks like this is -- this document,  
11 Exhibit 5, which is the Order Granting Time to Pay  
12 Fines and Costs was signed by you on February 2nd,  
13 2017?

14 A. Yes.

15 Q. Could that have been the day that Ms. Coble  
16 brought you to the courthouse?

17 A. It could have been. I'm not a hundred  
18 percent certain. I don't -- I don't really recall.

19 Q. And --

20 A. But it could have been, yes.

21 Q. On that time when Ms. Coble brought you to  
22 the courthouse, what did you do that day?

23 A. I believe the first time that I went into --  
24 in there, they ordered me not to pay anything right  
25 then, but then I had to start paying the following

1 month. And that's what I did, until I was -- until I  
2 moved out of the halfway house. And then, whenever I  
3 started having all of my house bills and everything  
4 is whenever I couldn't pay it anymore.

5 **Q. And did they talk to you about the amount you**  
6 **were to pay?**

7 A. I don't believe -- I don't believe so because  
8 I've never seen this -- up here at the top where it  
9 says 12,852.06, I've never seen that before.

10 **Q. What about the installment payments, did you**  
11 **talk with them about the installment payments that --**

12 A. They set it up for \$50 a month, and I told  
13 them then that that was too high because I had other  
14 counties that I had to pay. And that's whenever they  
15 ordered me to come back to court and see the judge in  
16 May. They told me I had no choice but to pay that  
17 \$50 until I went and seen the judge.

18 **Q. And you don't remember who you talked to;**  
19 **right?**

20 A. I do not.

21 **Q. Do you remember what the person looked like?**

22 A. No, I don't.

23 **Q. Somebody at the court clerk's office, you**  
24 **think?**

25 A. I believe so, yes.



1 Q. And do you see on Exhibit 5 where it says:

2 "You are ordered to pay the sum of  
3 zero on this date and future payments as  
4 follows, \$50 each month on or before  
5 3/2/2017, and \$50 on or before the 2nd of  
6 each month."

7 A. Yes, I see that.

8 Q. Do you see that?

9 And is that your understanding of the plan that  
10 they put you on when you went to the court with  
11 Ms. Coble?

12 A. At that point in time, yes.

13 Q. And then it says:

14 "You are ordered to appear for hearing  
15 on fines and costs on the 12th day of May,  
16 2017, at 1:30 p.m."

17 And you initialled that. Do you remember  
18 doing that?

19 A. Yes.

20 Q. And the next line:

21 "You do not need to appear if all your  
22 fines and costs are paid in full before the  
23 hearing date, you contact the cost  
24 administrator for a new court date;  
25 otherwise, you must appear."

1 And you initialled that. Do you remember  
2 that?

3 A. Yes.

4 Q. So you understood how this system worked; you  
5 had a series of court dates for your payment of fines  
6 and costs. Is that your understanding?

7 A. Yes.

8 Q. And if you were current and you called in,  
9 you wouldn't have to come to court. Is that your  
10 understanding?

11 A. Yes.

12 Q. And you could get a new court date without  
13 going to court?

14 A. Yes.

15 Q. Okay. And then, on the last paragraph,  
16 before the judge's signature, it says:

17 "You are further ordered that if you  
18 cannot make a payment as set up above, you  
19 are to appear before the court clerk cost  
20 administrator between the hours of 8:00 a.m.  
21 and 12:00 p.m., 1:00 p.m. to 5:00 p.m. on the  
22 day that payment is due. In the event you do  
23 not appear, a bench warrant will be issued.  
24 Upon your arrest, you may be remanded to the  
25 custody of the Washington County sheriff to

1 satisfy said fines and costs at the rate of  
2 \$25 per pay."

3 Do you recall seeing that when you signed it?

4 A. Yes.

5 Q. You understood that, if you don't appear on  
6 these court dates, a bench warrant could be issued  
7 for you; is that correct?

8 A. Yes.

9 Q. And, also, that you could be remanded of the  
10 custody of the Washington County Sheriff to satisfy  
11 your fines and costs by putting you in jail at a rate  
12 of \$25 per day. Did you --

13 A. Yes.

14 Q. You understood that?

15 A. Yes.

16 Q. Okay. Let me find another document here.

17 MR. TERRILL: Are you done with Exhibit 5?

18 MR. PEDERSON: Yes. We're done with  
19 Exhibit 5.

20 BY MR. PEDERSON:

21 Q. So you talked to the court clerk on the day  
22 Ms. Coble brought you there, and you said, "I can't  
23 pay 50." And they said, "You're going to have to  
24 come back and see the judge"; right?

25 A. Uh-huh.

1 MR. TERRILL: Is that a yes?

2 THE WITNESS: Yes.

3 MR. PEDERSON: Thank you.

4 BY MR. PEDERSON:

5 Q. Anything else you discussed with the court  
6 clerk at that time?

7 A. Not that I recall.

8 Q. And they gave you a date to come back and  
9 talk to the judge?

10 A. Yes, sir.

11 Q. And did you do that?

12 A. I did.

13 Q. And are you able to see a document on your  
14 screen now?

15 A. I can.

16 Q. And we're going to mark this one as  
17 Exhibit 6.

18 (Whereupon, Deposition Exhibit No. 6 was  
19 marked for identification and made part of the  
20 record.)

21 BY MR. PEDERSON:

22 Q. The name of the file is: "2017-7-25 Order  
23 Granting Time to Pay Fines and Costs."

24 And if you could take a moment and review that  
25 document.

1 A. Yes.

2 Q. And let me know when you're done.

3 A. I don't know why it says Curtis DeLapp. I  
4 never seen DeLapp --

5 (Reporter clarification.)

6 THE WITNESS: Oh. I said I don't know why  
7 this document says Curtis DeLapp because I didn't see  
8 Curtis DeLapp; I seen Mr. Sigler. I didn't see  
9 DeLapp again after I was sentenced. I never seen him  
10 again in court.

11 BY MR. PEDERSON:

12 Q. And it looks like the payments here -- if you  
13 look on that first paragraph, the future payments are  
14 now \$40 per month, instead of 50.

15 Do you see that?

16 A. I do.

17 Q. Do you remember how that got changed from  
18 50 to 40?

19 A. Because I went to court and told them that I  
20 could not afford to pay the fines and costs because I  
21 was living on my own and I didn't -- I wasn't able to  
22 pay them. And they -- I believe it was Judge Sigler  
23 reduced it down to \$40 a month, and I told him that  
24 that was still going to be too high, that I wasn't  
25 going to be able to pay that. And he told me he

1 didn't care; that's what he ordered it at and that's  
2 what it would be at.

3 Q. And so, when the court clerk told you to come  
4 back to court, and you came back on -- and you saw  
5 Judge Sigler, when you came back to court, were you  
6 on a -- were you on a docket? Were there other  
7 people in the courtroom and he was --

8 A. Yes.

9 Q. -- calling names?

10 Is that how that worked?

11 A. Yes. Sorry. Yes.

12 Q. Okay. So you come back. How many people  
13 would you say were in there at that time?

14 A. An estimate, maybe 20.

15 Q. Okay. And --

16 A. Maybe less, maybe more. I don't know.

17 Q. And tell me what happened. What did you  
18 observe on that docket --

19 A. When --

20 Q. -- with other people and then when it got to  
21 you?

22 A. With my maiden last name and my case is under  
23 Ackerson, I'm the first one to be called up; so I  
24 didn't get to absorb him with anybody else other than  
25 myself.

1 Q. So you only know about yourself on that day?

2 A. Yes.

3 Q. And it looks like this judgment is signed  
4 7/25/17. Do you think that's the date you were there  
5 or do you know?

6 A. I'm sure that is because I had moved out of  
7 the program in July. It was July; right? No, it was  
8 June.

9 It was June of 2017 when I moved out of the  
10 program. April, May -- May or June. And so July is  
11 probably when I went in because that's when I started  
12 having a hard time paying my fines and costs.

13 Q. So Judge Sigler calls your name. And tell me  
14 about what happened at the hearing.

15 A. He called my name, I went up to -- to the --  
16 oh, it does say Sigler on there. Anyway...

17 I went up to the -- or to the -- because, like,  
18 you have him and then you have his court lady right  
19 next to him, and then you have like -- so, like, you  
20 can't, like, step right up to the bench. So you  
21 stand right there.

22 And he asked me my ability to pay or whatever.  
23 And I told him that I wasn't able to pay it, that it  
24 was too high, that I was living on my own now, and  
25 that I had other fines and costs and other financial

1 responsibilities. And he was like, "Well, I can  
2 lower it down to \$40 a month." And I still -- and I  
3 told him, I said, "I'm still not going to be able to  
4 pay that. It's still going to be very hard for me to  
5 pay that."

6 And he told me he did not care, that he ordered  
7 it at \$40 a month. If I couldn't pay it, then I  
8 would go to jail. So I signed the paper and I left.

9 **Q. At that hearing, did you -- did you ask for a**  
10 **court reporter to be present?**

11 A. I thought that court reporters always had to  
12 be present. I never knew that you had to request  
13 one.

14 **Q. So you didn't request one because you didn't**  
15 **know you had to?**

16 A. I had no idea I had to.

17 **Q. All right. Did you see anybody there taking**  
18 **down what was being said?**

19 A. I thought the lady that was next to him was a  
20 court reporter, but I guess she's just his -- I don't  
21 know what she is.

22 **Q. Okay. She didn't have a machine that she was**  
23 **typing on?**

24 A. Not that I recall, no.

25 **Q. And what other court fees, court obligations**



1 did you have on 7/25/17 that you -- that you told the  
2 court about?

3 A. I have Woodward County, I have Garvin County,  
4 I have Osage County. And at that point in time, I  
5 had Grady County, but I have them paid off. So I  
6 still had Woodward, Osage, Garvin, and Washington.

7 Q. And how many of those were you paying on at  
8 the time you went to that hearing we've just been  
9 talking about?

10 A. All of them.

11 Q. And how much were you paying in each of those  
12 counties?

13 A. I pay \$20 a month to the district attorney  
14 and \$20 a month to the courthouse in Woodward. I pay  
15 \$40 a month to Osage County, \$40 a month to  
16 Washington County, and \$50 a month to Garvin County.  
17 And at that point in time, I was paying \$50 a month  
18 to Grady County, but, like I said, I have  
19 Grady County paid off.

20 Q. At the time of that hearing, did you tell the  
21 judge about any other expenses you had?

22 A. He never asked. But I told him that I had my  
23 financial -- my housing financial ability --  
24 responsibilities, I had a car responsibility. He  
25 never asked me the amounts of anything. But I did

1 tell him that I had my house bills, that I had my car  
2 payment, that I had insurance, that I had -- that I  
3 had to eat, that I had other fines and costs. But he  
4 never asked me how much any of that added up to.

5 **Q. At the time of that hearing, where were you**  
6 **working?**

7 A. Boomerang Diner.

8 **Q. And how much were you getting at**  
9 **Boomerang Diner?**

10 A. I made 6.60 an hour, plus my tips. I don't  
11 know a monthly amount, but you guys have all of my  
12 pay stubs from there. So...

13 (Reporter clarification.)

14 BY MR. PEDERSON:

15 **Q. Do you recall what you were usually making in**  
16 **tips at that time?**

17 A. 50 to \$75 a day, maybe.

18 **Q. And how many days a week were you working at**  
19 **Boomerang?**

20 A. Four, five.

21 **Q. And how many hours per day?**

22 A. It would alternate.

23 **Q. And what would it alternate between?**

24 A. I either worked from 7:00 a.m. to 1:30 p.m.

25 or I worked from 5:00 p.m. to 9:00 p.m.

1 Q. And did you have any other jobs at the time  
2 of that hearing?

3 A. I did not.

4 Q. And where were you living at the time of that  
5 hearing?

6 A. Jim Davis Boulevard, in Claremore, Oklahoma.

7 Q. Is that an apartment?

8 A. It was.

9 Q. What was the name of those apartments?

10 A. I cannot remember off the top of my head  
11 right now.

12 Q. And who lived there with you?

13 A. Myself and my stepson -- or adopted son, not  
14 stepson. Sorry.

15 Q. How old was he in July of 2017?

16 A. 13.

17 Q. Did Lonnie live there also?

18 A. No. He was incarcerated.

19 Q. Did you have any other sources of income?

20 A. I did not.

21 Q. Did you receive any government benefits at  
22 that time?

23 A. Yeah. I received food stamps and medical,  
24 I believe.

25 Q. And how much were you paying in rent at that

1 time?

2 A. 600.

3 Q. 600 per month?

4 A. Yes.

5 Q. And was it you who was paying it, or did  
6 somebody else pay it?

7 A. I paid it.

8 Q. Did anyone else help you with that?

9 A. No.

10 Q. And what kind of vehicle did you have at that  
11 time?

12 A. At that time, I had a -- I don't remember the  
13 year, but it was a Malibu, a Chevy Malibu.

14 Q. Do you remember what year model?

15 A. I don't remember what year. It was a Chevy  
16 Malibu. I think it was an '06, '07, maybe.  
17 Somewhere in there.

18 Q. Were you making payments on the car?

19 A. I was.

20 Q. Do you remember how much those were?

21 A. I believe they were 200 every 2 weeks.

22 Q. And how about insurance? Do you remember  
23 what you were paying in insurance at that time?

24 A. It was 689 -- about 689 for a 6-month period.

25 But I was paying it monthly because I couldn't afford

1 the full outright payment. So a little over a  
2 hundred dollars a month.

3 Q. What other expenses did you have at that  
4 time?

5 A. My utilities.

6 Q. Do you remember about how much that was?

7 A. My water was covered in my rent. My trash  
8 was covered in my rent. And then my electric was  
9 between 75 and 125.

10 And then all of my fines and costs that I had.  
11 And then, plus, taking care of my son. Oh, food --  
12 well, I didn't have to because I had food stamps.  
13 Well, I mean, I still had to get -- I guess I  
14 probably paid about \$50 extra in food, too, because I  
15 only got 136 in food stamps. So probably about 50 --  
16 I would say 50 to \$75 extra a month in food.

17 Q. Did you have a cell phone?

18 A. Oh. Yes, I did. I'm sorry. I did. But  
19 that was -- at that point in time, I believe that it  
20 was a government-assisted phone; so it was only,  
21 like, \$15 a month.

22 And then your gas -- like, my gas for my car  
23 and stuff like that, to get back and forth to work.

24 Q. How far was your work away from where you  
25 lived?

1 A. About a mile.

2 Q. Now, what kind of phone was it?

3 A. It was Assist Wireless, so it was a  
4 government -- like, since I got food stamps and  
5 stuff, it was a cheaper -- like a government-lined  
6 phone.

7 Q. And you said 15 a month; is that right?

8 A. Yes.

9 Q. Okay. Any other expenses that you can think  
10 of?

11 A. Not that I can recall.

12 Q. Did you have anybody helping you with your  
13 expenses?

14 A. No.

15 Q. Your mom didn't help you?

16 A. No.

17 Q. How about Lonnie's family? Did they help you  
18 out any?

19 A. No. The only thing they would help out with  
20 is sending money to Lonnie in prison so that he had  
21 his food and stuff there.

22 Q. Did you send any money to Lonnie in prison?

23 A. Very seldom, yes.

24 Q. How much would you usually send him?

25 A. I would try to get him \$75 a month. I would

1 try.

2 Q. And what did he -- what did he need that  
3 money for in prison?

4 A. Clothes, hygiene, food.

5 Q. Like stuff from the canteen?

6 A. Yeah. Commissary. I mean, they don't  
7 provide you with a sweatshirt and sweats and things  
8 in there; so he had to have those things.

9 Q. Did they -- was he required to pay those  
10 amounts? Or is that just if he wanted those things,  
11 he had to pay those amounts?

12 A. Well, I mean, if you're cold, you want to be  
13 warm; right?

14 Q. Okay. I see.

15 So it's just -- so he wanted those things, and  
16 so he needed the money --

17 A. Not wanted. Needed those things. He needed  
18 to eat; he needed to be warm.

19 Q. Okay. Well, he was going to get -- he was  
20 going to get fed without your money. Is that your  
21 understanding?

22 A. Yes.

23 Q. Okay. And back on the document that's on our  
24 screen here. Again, it says \$40 a month. And then  
25 it gives you a new hearing date and tells you if you

1 don't appear, a warrant could be issued. And you  
2 understood how that -- you still continued to  
3 understand how that process worked after this  
4 particular order was entered?

5 A. Yes, sir.

6 Q. Okay. Thank you.

7 I'm trying to get another document up here.  
8 We'll mark this one as I believe Exhibit 7.

9 (Whereupon, Deposition Exhibit No. 7 was  
10 marked for identification and made part of the  
11 record.)

12 BY MR. PEDERSON:

13 Q. And the name of this file is: "2017-10-31  
14 Courtesy Letter."

15 Do you see that?

16 A. Yes.

17 Q. It looks like it's saying there:

18 "Our records show you failed to appear  
19 for fines and costs on 10/27/17. You're  
20 current on your fines and costs. Please call  
21 to get a new court date by 11/6/2017."

22 Do you remember getting this letter?

23 A. Yes, I do.

24 Q. And do you remember why you didn't appear for  
25 your fines and costs docket on 10/27/17?



1           A. Yes, I do. My dad is very ill, and I was  
2           very -- I was just -- I had forgot about court. I  
3           was taking care -- I was just dealing with a lot of  
4           different things, and I had just -- I knew that I had  
5           been paying my stuff, and I just completely spaced to  
6           call them.

7           **Q. And then, when you got this letter, what did**  
8           **you do?**

9           A. I called them right away.

10          **Q. And what did they say?**

11          A. They gave me a new court date.

12          **Q. And then, after you got that letter, did you**  
13          **continue to appear for your -- I'm sorry.**

14                Did you continue to stay current and call and  
15          continue to get new court dates, as per the system?

16          A. Yes. To the best of my ability, yes.

17          **Q. And I'll just show you a couple of documents**  
18          **here. Are you able to see this document?**

19          A. Okay.

20          **Q. I'll mark this as Exhibit 8.**

21                (Whereupon, Deposition Exhibit No. 8 was  
22          marked for identification and made part of the  
23          record.)

24          BY MR. PEDERSON:

25          **Q. It's a Court Minute dated January 3rd, 2018.**

1 It looks like you -- it's noting that you called the  
2 court clerk regarding your fines and costs review  
3 that was set January 5th, 2018. It notes that you  
4 are current, that you talked to D. Forbes, and that  
5 they gave you a new review date.

6 Does that appear to be an accurate statement of  
7 what occurred?

8 A. Yes.

9 Q. And have you ever seen these court minutes  
10 before?

11 A. No.

12 Q. And we already noted this is marked as  
13 Exhibit 8.

14 And then here's another one. It's like the  
15 previous one. It's got different dates on it. We'll  
16 mark this as Exhibit 9.

17 (Whereupon, Deposition Exhibit No. 9 was  
18 marked for identification and made part of the  
19 record.)

20 BY MR. PEDERSON:

21 Q. It's a Court Minute dated February 26, 2018.  
22 It indicates that you contacted the court clerk, that  
23 you're current, and you talked to D. Forbes, and they  
24 gave you a new court date for 5/4/2018.

25 Does that appear to you to be correct?

1 A. Yes.

2 Q. Do you remember -- do you happen to remember  
3 if you made that court date on 5/4/18?

4 A. I think that's the one that I had the dates  
5 mixed up. It's either that one or the next month,  
6 one of them. I called on a Monday, and I had missed  
7 court the Friday before. I just had the weeks mixed  
8 up.

9 Q. Okay. And you -- do you think they did give  
10 you that 5/4/2018 date, though?

11 A. Yes.

12 Q. And you just got it mixed up, written down  
13 wrong, or something like that?

14 A. Yes.

15 Q. And you understood that, you know, if you  
16 missed these court dates, they could issue a warrant  
17 for you. You knew that at that time?

18 A. Yes.

19 Q. Give me one second. This is part of a docket  
20 sheet for your Washington County case. And it's got  
21 a docket entry here for 5/4/2018, which was the court  
22 date that you had been given. And it says:

23 "Defendant failed to appear for fines  
24 and costs review. Bench warrant authorized  
25 with bond set in the amount of 150."

1           Do you think that this 5/4/2018 is the one  
2   that you didn't appear for?

3           A. I believe so, yes.

4           Q. And we'll mark that docket sheet that we're  
5   looking at now as Exhibit 10.

6                   (Whereupon, Deposition Exhibit No. 10 was  
7   marked for identification and made part of the  
8   record.)

9   BY MR. PEDERSON:

10          Q. At what point did you realize that you had  
11   missed that court date?

12          A. When I called the courts and said, "Hey, I'm  
13   current on my fines and costs, I need to change my  
14   court date." They were like, "No. You missed court  
15   last Friday." And I was like, "No. I have court  
16   this Friday." And they were like, "No. It was last  
17   Friday."

18          So that's when I realized I had missed court.

19          Q. And what did they tell you to do?

20          A. They told me that I could come in -- or I  
21   asked if there was anything I could do. They told me  
22   that I could pay -- or that I could turn myself in --  
23   or no. What did they tell me?

24          They told me I could pay something or -- or pay  
25   a certain amount. I didn't remember what the amount

1 was. And I asked them if there was any way that I  
2 could talk with the judge because I didn't realize  
3 that -- I mean, I was less than a week away -- like,  
4 I never got a letter from them, never got any --  
5 like, it was only just a few days.

6 And they told me that I could come -- or that  
7 the judge wouldn't -- the judge would see me.  
8 Because they patched me through from the court clerk  
9 up there to the judge's chambers, and I talked to the  
10 lady that Judge Sigler works with or whatever. And  
11 she told me to come in and see the judge.

12 So I took off work that day -- or that morning,  
13 and my husband and I went to the courthouse. And I  
14 was supposed to be at court -- or at work that night.  
15 Whenever I got to the courthouse, I went up to  
16 Judge Sigler's chambers. And the next thing I know  
17 they're arresting me.

18 And I was like, "Hey, I was under the  
19 impression that if I come up and seen the judge, we  
20 could work this out. What's going on?" And they  
21 were like, "We're arresting you on a bench -- on the  
22 warrant and you're going to jail."

23 So I went to jail, and I seen the judge the  
24 next day at the courthouse -- or on the  
25 videoconference.

1 Q. And when you called the court clerk, I think  
2 I heard you say they told you you could turn yourself  
3 in. Is that what you said?

4 A. No. That's not -- I didn't mean to say that.  
5 They told me that I could pay the fine -- or the --  
6 whatever it was, or I could talk -- or talk with the  
7 judge. And I asked them if I could talk with the  
8 judge -- or they told me I could come in, is what  
9 they said, or pay that fine. And I told them I  
10 couldn't -- didn't have the money to pay that fine  
11 and asked if I could talk to the judge.

12 Q. And so --

13 A. And they transferred me up to the judge's  
14 chambers, and I talked to the lady that works with  
15 the judge because the judge was on the bench -- or in  
16 his courtroom, I believe is what they told me.

17 Q. Do you remember the name of the person you  
18 talked to who worked with the judge?

19 A. No. I know it was a female.

20 Q. And, as specifically as you can, tell me  
21 exactly what she said, the best you can remember.

22 A. I asked if there was any way that I could  
23 talk with the judge. She told me the judge was in  
24 the courtroom. I told her that I had missed court,  
25 that I was unaware that I had missed court, that I

1 was trying to call to change my court date because I  
2 was current. She told me that the only thing she  
3 could really tell me to do was come in and see the  
4 judge and that we could work -- and I was like,  
5 "Well, if I come in and see the judge, am I going to  
6 go to jail?" And she told me no -- or she didn't  
7 believe I would if I came in and spoke with him.

8 **Q. Okay. And so did you go that day or the next**  
9 **day?**

10 A. I did.

11 **Q. You went that day?**

12 A. It was that day. I believe I -- I'm almost a  
13 hundred percent certain it was that day. It might  
14 have been the next day, but I think it was that day.

15 **Q. Do you remember what time of day it was?**

16 MR. TERRILL: Hold on. Just for purposes  
17 of clarity, are we talking about the phone call or  
18 when she showed up?

19 MR. PEDERSON: When she showed up.

20 THE WITNESS: It was afternoon sometime.

21 BY MR. PEDERSON:

22 **Q. Okay. And so you went to court. And just**  
23 **step me through what happened.**

24 A. I did not go to court. I went to the judge's  
25 chambers. He was not in his courtroom; he was in his

1 chambers. So they told me to sit down. I sat down  
2 with my husband. We sat there and waited. And the  
3 next thing I know an officer is coming in arresting  
4 me.

5 **Q. Did you ever get to talk to the judge?**

6 A. Not until the next day over the  
7 videoconference.

8 **Q. Did you see the judge that day?**

9 A. I did not, not until the next day over  
10 videoconference.

11 **Q. Who told you that he was in his chambers?**

12 A. The lady that sits at the window and opens  
13 the window. I told her that I was there to see him,  
14 and she told me to hold on a minute. And then she  
15 come back to the window, she told me she was busy --  
16 that he was busy and for me to sit down. So I did.

17 **Q. Oh, okay. And the lady at the window, was**  
18 **that the district attorney's office; do you know?**

19 A. I don't know. It was up there at his  
20 chambers. I don't know who that is.

21 **Q. Okay. Do you know what floor it is?**

22 A. Second or third, something like that.

23 **Q. And so you sat down out in the hallway; is**  
24 **that right?**

25 A. Yes.



1 Q. Okay. You didn't go into his office?

2 A. No.

3 Q. You never went into his office that day;  
4 right?

5 A. No.

6 Q. Is that correct?

7 A. I never went to his office that day.

8 Q. So you sat in the hall. And then who -- who  
9 came? The sheriff --

10 A. The officer, police officer.

11 Q. Okay. And what did they say to you?

12 A. To stand up and to turn around, I was being  
13 arrested.

14 Q. All right. And what did you say?

15 A. I said, "I thought I was talking to the judge  
16 so we could fix this." And he said, "He doesn't have  
17 time to talk to you. I'm just following orders."

18 Q. Did he say who was giving him these orders?

19 A. No. He just said he was following orders.

20 Q. Do you know who alerted him that you were  
21 there?

22 A. I'm sure -- I mean, I -- who's "him"?

23 Q. The person who was arresting you, I'm sorry.

24 A. I don't know who alerted him, no.

25 THE WITNESS: Can I have a break?

1 MR. PEDERSON: Yeah. Let's take a break.

2 And do you want to come back at, like, 11:13?

3 MR. TERRILL: Sure.

4 THE REPORTER: We're off the record at

5 11:03 a.m.

6 (Break was taken: 11:03 a.m. to 11:16 a.m.)

7 THE REPORTER: Back on the record at

8 11:16 a.m.

9 BY MR. PEDERSON:

10 Q. Ms. Feenstra, so you were arrested and taken  
11 to jail. And tell me about that. What happened?

12 A. Whenever I was taken to jail, they -- I don't  
13 remember what the bond -- what I ended up have --  
14 what the bond ended up being. But the jail, they  
15 told me I could either pay -- I could either pay or I  
16 could wait until the next day and see the judge at  
17 court. So I didn't have any money, again; so I sat  
18 in jail overnight because I thought whenever I seen  
19 the judge the next day, that I would be released  
20 because I believed that I was current on my fines and  
21 costs and it was a complete misunderstanding.

22 Whenever I seen the judge, the judge told me  
23 that I was not current and --

24 Q. Could I stop you there for one minute?

25 You said when you saw the judge. Was it -- it

1 was the day right after you were arrested that you  
2 saw the judge; right?

3 A. The day after, yes.

4 Q. And you did it by video from the jail?

5 A. Yes.

6 Q. And do you remember? Was it morning or  
7 afternoon?

8 A. It may -- I don't remember which. I think it  
9 might have been morning. I'm not for sure.

10 Q. And I apologize for that. Go ahead.

11 You were saying you talked to the judge. And  
12 what happened there?

13 A. He proceeded to tell me that I was not  
14 current. And I told him that I thought I was  
15 current. And he told me that I was not current and  
16 that I could either sit it out or I could bond out.  
17 And I told him that I had a job and I had to get back  
18 to work and I had no money. And he told me it wasn't  
19 his problem, for me to sit down.

20 So I sat down. And then I called my husband.  
21 And my husband went and borrowed the money to bond me  
22 out because my husband is disabled and I had to be to  
23 work. So my husband borrowed the money, bonded me  
24 out, and I went home.

25 Q. You don't remember the amount of bond, you

1 say?

2 A. 300 or 320 or 350, something like that. I  
3 know that Judge Sigler had given me time served  
4 for -- or a \$25 credit for the day that I had sat  
5 there. And I never even got that credit. Like,  
6 I think it was 350, and I was only supposed to --  
7 I think the bond was 350. Because I sat there for  
8 24 hours, it lowered it to 325. But when my husband  
9 came and got me, they still made him pay the 350. So  
10 I went to -- after I was released, my husband went to  
11 the courthouse and was like, "Hey, they were supposed  
12 to give her time served. They didn't give her time  
13 served; so can I get my \$25 back?" And they told him  
14 no.

15 Q. How longer after the hearing was it before  
16 you got out of jail?

17 A. I don't know if it was that evening or the  
18 next morning that I got out. It might have been that  
19 afternoon, that evening.

20 Q. And you spent just one night in jail?

21 A. Yes. So, yeah, it would have been -- it was  
22 only one night in jail; so it would have been right  
23 after the -- so court would have been that morning,  
24 and then I would have been released that afternoon.

25 Q. And did you go to your job that day you were

1 released?

2 A. That evening, yes.

3 Q. Who did your husband borrow the money from?

4 A. His name is Toby. And he was a customer at  
5 Boomerang.

6 Q. And after that, did you go to court anymore,  
7 or did you always call ahead and stay current from  
8 that point on?

9 A. I always called ahead because I was scared to  
10 go back.

11 Q. So you haven't been back on a cost docket  
12 since that time, the best you can remember?

13 A. Not -- not until -- I'm wanting to say  
14 December or January -- no. I think it was January --  
15 no. February of 2020, I went back and I seen  
16 Judge Thomas.

17 Q. Okay. Give me just a second here.

18 So you went back and you saw Judge Thomas.  
19 When was that, do you think?

20 A. Don't quote me, but I think February of 2020.

21 Q. Okay. And why did you go to see Judge Thomas  
22 in February of '20?

23 A. Because I fell in December at Macy's, and I  
24 broke my kneecap and tore my -- I tore something in  
25 there, and I was unable to work; so I couldn't pay my

1 fines. I had no -- no income at all.

2 Q. And did you tell that to Judge Thomas?

3 A. I did.

4 Q. And what did she say?

5 A. She suspended my fines and costs until after  
6 my surgery date. It was for -- because I was  
7 supposed to be out for surgery from 8 to 12 weeks. I  
8 didn't end up having surgery because Macy's is now  
9 fighting me with that. And so I seen Judge Thomas  
10 again this last summer. I don't remember what month.  
11 But she knows that I haven't had -- that I -- at that  
12 point in time, she knew that I hadn't had surgery yet  
13 and she postponed me or, like, suspended my payments  
14 until November because we were hoping to have  
15 everything with my knee settled by now, but it's  
16 still not done.

17 Q. And how's your knee doing today?

18 A. It hurts very badly. It hurts very badly  
19 every day.

20 Q. Are you needing -- was that an injury you  
21 received on the job?

22 A. Yes.

23 Q. And is that a -- is it being covered by  
24 workers' comp?

25 A. Not right now, no.

1 Q. Do you know why it's not?

2 THE WITNESS: Do I answer -- do I tell the  
3 whole story?

4 MR. TERRILL: I'm just going object to  
5 form.

6 Answer if you know why it's not.

7 THE WITNESS: All I --

8 MR. TERRILL: Without talking about any  
9 conversations you've had with an attorney about it.

10 THE WITNESS: Okay. All I know is that I  
11 was fixing to -- so I've never filed workman's comp  
12 before. I've never -- I've never been hurt at work  
13 before. I didn't know that that all had to take  
14 place. So when I initially went to the doctor, I  
15 used my own insurance. The day before surgery, I  
16 went to Macy's and told them that I was going to be  
17 off of work and that I was going to file unemployment  
18 for the time that I was off work so that I had some  
19 type of income to pay my house bills. They told me  
20 then that it had to be workman's comp because they  
21 couldn't approve unemployment -- or they couldn't --  
22 anyway, they told me I had to file under workman's  
23 comp. So I filed it under workman's comp. And the  
24 morning before I was supposed to have surgery, their  
25 attorney stepped in and said that they weren't going

1 to allow surgery.

2 So I had court on March 18th for them -- for  
3 the judge to hear the entire case and to order them  
4 to do the surgery. But on March 15th, everything  
5 shut down because of COVID; so I lost a court -- so I  
6 lost that court date. And we haven't been able to  
7 get back in court since.

8 I have a court date on the 23rd of November  
9 to find out -- it's a settlement conference. So  
10 we'll see what happens that day.

11 BY MR. PEDERSON:

12 Q. Are you still planning to get the knee  
13 surgery?

14 A. Absolutely. Yeah. I need it.

15 Q. So, you know, you've seen the surgeon and  
16 everything, and it's something that he's recommended;  
17 right?

18 A. Yes.

19 Q. Have you been able to work since that knee  
20 injury?

21 A. Very little.

22 Q. Since that happened, where have you been able  
23 to work? At the same employer?

24 A. No. I was at Main Street Tavern from March  
25 until October -- September, October. And then we --



1 we moved from Claremore to Bartlesville in April, and  
2 the traveling back and forth just became too much.  
3 So now I've been at the Painted Horse for the last  
4 2 weeks.

5 (Reporter clarification.)

6 BY MR. PEDERSON:

7 Q. And Main Street Tavern, where is that?

8 A. In Claremore, Oklahoma.

9 Q. And the Painted Horse, is that also in  
10 Claremore?

11 A. No. That's in Bartlesville.

12 Q. Are you receiving any money from the workers'  
13 compensation carrier or from your employer where you  
14 were injured to replace your wages?

15 A. No, sir.

16 Q. Do you know why that's not occurring?

17 A. Something we have to deal with inside of  
18 court. I'm not for sure.

19 Q. At this time, have you been paid anything for  
20 workers' compensation?

21 A. No.

22 Q. And when did you work at Main Street Tavern?

23 A. From March of 2020 until September or October  
24 of 2020.

25 Q. And what kind of hours were you getting

1     **there?**

2           A. I worked, like, 10 hours a week.

3           **Q. And how much were you getting paid?**

4           A. \$2.13 an hour, plus my tips.

5           **Q. How much would you usually get in tips per**  
6     **week?**

7           A. I don't know. 250, 300, maybe.

8           **Q. And what about the Painted Horse, when did**  
9     **you work there?**

10          A. I'm still there. I started 2 weeks ago -- or  
11     this coming Monday will be 3 weeks.

12          **Q. And what did you -- what do you do for**  
13     **Painted Horse?**

14          A. I'm a server.

15          **Q. And how much are you making?**

16          A. 2.13 an hour, plus my tips. It's either 2.13  
17     or 2.30. It's one of those two.

18          **Q. Do you expect to make 250 to 300 a week in**  
19     **tips?**

20          A. That's what I expect. I don't know that  
21     that's what -- I mean, I'm just now getting out of  
22     training; so I don't know what I'll actually make.

23          **Q. Okay. Have they told you how many hours**  
24     **you'll be able to work?**

25          A. I'm not going to be able to work but 10 to

1 15 hours because of my leg.

2 Q. Do you have a lawyer on that workers'  
3 compensation case?

4 A. I do.

5 Q. Who is that?

6 A. Bryce Hill.

7 Q. And it's under your name, Amanda Feenstra?

8 A. Yes.

9 Q. And I'm sorry, the employer when you got  
10 injured was which one?

11 A. Macy's distribution center, in Owasso.

12 Q. And where are you living right now?

13 A. I live at 1601 South Madison Boulevard,  
14 Bartlesville, Oklahoma, 74006.

15 Q. How long have you lived there?

16 A. Since April 6th of 2020.

17 Q. And who lives there with you?

18 A. My husband, Lonnie Feenstra, and our adopted  
19 son, Logan Edwards.

20 (Reporter clarification.)

21 BY MR. PEDERSON:

22 Q. And what are your sources of income for the  
23 household?

24 A. I get my -- the income that I have, my  
25 mother-in-law, LaLoni Coble, is a power of

1 attorney -- or not power of attorney, a payee for my  
2 adopted son, Logan Edwards. He gets survivor  
3 benefits. And she pays my rent with that and then  
4 puts the rest up. And then my husband has SSI now.  
5 He started receiving that this -- February of 2020.  
6 And that is based upon my income, but he gets about  
7 619 a month. And then I have my income. For  
8 a while, I had unemployment whenever everything shut  
9 down for COVID. And now I just have my Painted Horse  
10 income.

11 **Q. And how much is your mother-in-law**  
12 **contributing related to those survivor benefits?**

13 A. 1200.

14 **Q. Per month?**

15 A. Yes, sir. And those survivor benefits do run  
16 out and end in a year; so we won't have them in  
17 one year.

18 **Q. Okay. One year from -- so they won't be --**

19 A. Sorry. Not -- I would say a -- whenever  
20 April -- April of 20 -- it will end April of 2022 is  
21 when they're going to end because that's when my son  
22 will graduate from high school.

23 **Q. Okay.**

24 A. A year and a half.

25 **Q. Have you ever spoken with Sharonica Carter?**

1 A. I've spoke with her, yes.

2 Q. And when was that?

3 A. We had some meetings with our attorney. It  
4 was twice -- well, one was at a meeting with our  
5 attorney, and one was at the federal building  
6 whenever we had court.

7 Q. Other than that, you've never spoken with  
8 her?

9 A. No. I never spoke with her before that.

10 Q. How about her mother, Demetria [phonetic]  
11 Carter, have you ever spoken with her?

12 A. No.

13 Q. LaKendra [phonetic] Carter?

14 A. No.

15 Q. Did LaLoni Coble ever accompany you to a  
16 court hearing?

17 A. Yes.

18 Q. Which one or which ones were those?

19 A. Every one of them, except for whenever I was  
20 arrested and whenever I was released. But if I was  
21 in the courtroom, she was with me, her and my husband  
22 both, except for those -- except for that time.

23 Q. Have you spoken with her about what she  
24 observed in those hearings?

25 A. No. The only thing that I spoke with her

1 about is I told her that she might have questions to  
2 answer for you guys. And she said okay. She didn't  
3 ask what they were -- I just told her that it's about  
4 what happened in court -- or I told her, I said,  
5 "With the attorneys and everything that's going on,  
6 with you being in the courtroom, they may call you."  
7 She said okay.

8 I was like, "It's just so they can tell you  
9 what -- or ask you question about what happened in  
10 court." And she said okay.

11 **Q. And are you aware of Ms. Coble observing any**  
12 **court hearings when you were not present?**

13 A. Just --

14 MR. TERRILL: Object to form.

15 Go ahead.

16 THE WITNESS: Just with my husband. Not  
17 with me, no. Like she was with my husband during his  
18 court hearings, but not -- nothing that I -- that  
19 would involve me.

20 BY MR. PEDERSON:

21 **Q. So she didn't go to your court hearings. She**  
22 **went to Lonnie's court hearings --**

23 A. No. She went -- no. Sorry, I guess I  
24 misunderstood that question.

25 No. She went -- I thought you said outside of

1 when she was with me.

2 Q. Okay.

3 A. She went with me to court whenever I went to  
4 court. Like, the three or four -- the handful of  
5 times that I've actually been in the courtroom, she's  
6 been with me.

7 Q. Okay. I see.

8 And then, has she been with Lonnie to court  
9 when you weren't present?

10 A. Yes. She went with Lonnie -- I had to work;  
11 so she went with Lonnie to his court date.

12 Q. Where does Ms. Coble live?

13 A. In Ramona.

14 Q. How far is that from Bartlesville?

15 A. 15 to 17 -- 10, 15, 17, something --  
16 somewhere like that -- miles. It's, like, 20 minutes  
17 to get there.

18 Q. Fair enough.

19 Let me show you one more document here.

20 A. Yes, sir.

21 Q. Well, I won't promise it's going to be one  
22 more, I guess, but let me show you this document.

23 Are you able to see a document on your screen?

24 A. Yes.

25 Q. Okay.

1 MR. PEDERSON: I forgot what number we're  
2 on now, but let's mark this as the next exhibit.

3 THE REPORTER: Number 11.

4 MR. PEDERSON: We'll mark this as  
5 Exhibit 11.

6 (Whereupon, Deposition Exhibit No. 11 was  
7 marked for identification and made part of the  
8 record.)

9 BY MR. PEDERSON:

10 Q. And the name of the file is: "2020-01-23,  
11 Motion For Rule 8 Hearing." I'll give you a chance  
12 to look at that.

13 A. I'm good. I know what it is.

14 Q. Okay. Have you seen this document before?

15 A. Yes. I filled it out for him.

16 Q. And tell me what it is, what your  
17 understanding is of what this document is.

18 A. Whenever he got approved for his disability,  
19 we had to go back in front of the judge to talk to  
20 them about his ability to pay.

21 Q. Okay. And where did you get this form from?

22 A. The court clerk's office told us that we had  
23 to fill it out, in order -- in order to be seen by  
24 the judge because our -- our attorneys let us -- we  
25 spoke with our attorneys after my husband got his



1 disability, and this is what we -- my current  
2 attorneys informed me to do this.

3 MR. TERRILL: Don't talk about anything  
4 else that we've talked about.

5 THE WITNESS: Okay.

6 BY MR. PEDERSON:

7 Q. The ones who are representing you in this  
8 case?

9 THE WITNESS: Can I answer that?

10 MR. TERRILL: Yeah.

11 THE WITNESS: Yes.

12 BY MR. PEDERSON:

13 Q. Okay. And did you talk to the court clerk  
14 at all before you filed this form?

15 A. I went and asked them -- I went into the  
16 courthouse and told -- or to the court clerk and --  
17 well, my husband, myself, and my mother-in-law all  
18 went in, and we told them what we were trying to do.  
19 And this is -- and then this is what they told us to  
20 do.

21 Q. They said fill out this form?

22 A. Yeah. Because you can't go out in front of  
23 the judge to see the judge without having this form  
24 filled out.

25 Q. Okay. And so you filled out the form and you

1     **filled it out right there and gave it back to them?**

2           A. Yes. They took us from the front of the  
3     office, around to the back, into a -- into a  
4     back room. And then that's when they gave us this,  
5     and we filled it out and gave it back.

6           **Q. And did they give you a court date?**

7           A. Was it that -- I think it was that day that  
8     they gave us a court date. I'm pretty sure it was  
9     that day.

10          **Q. So you went to court on this Motion For Rule**  
11     **8 Hearing. And what happened at that hearing?**

12          A. We seen Judge Thomas, and we explained to her  
13     the situation about him getting his disability and  
14     him being a hundred percent disabled. We gave her  
15     the paperwork showing that he was approved a hundred  
16     percent disabled. And she proceeded to look into his  
17     cases. And she said that she did not understand or  
18     comprehend why fines and costs were transferred from  
19     a dismissed case to a misdemeanor case, that it  
20     should have never taken place that way. And she  
21     dismissed those fines and costs.

22          She took the -- what was remaining left on the  
23     misdemeanor case and asked if he -- which was like  
24     \$350, somewhere around there, and asked if he could  
25     finish paying that out, if he had the ability to do

1 that. And he -- he looked at his mother and asked  
2 his mother, and his mom said that she would finish  
3 paying that for him.

4 So it went from, like, 3,000 some odd dollars  
5 down to 350 that day. And then he finished paying --  
6 and then his mother finished paying them off for him.

7 Q. This communication that you had with  
8 Judge Thomas, did that occur in the courtroom or was  
9 that somewhere else?

10 A. Yes.

11 Q. In the courtroom?

12 A. Yes.

13 Q. It seems like there was something where --  
14 did you ever appear before a different judge with  
15 Lonnie on asking to have your fees reduced; do you  
16 recall?

17 A. I was not there with that. That was his  
18 mother and him.

19 Q. Okay.

20 A. I mean, I know what I was told took place in  
21 that, but I wasn't there.

22 Q. Oh, okay. So Lonnie and his mom went to talk  
23 to Judge Thomas?

24 A. No. Judge Sigler.

25 Q. Oh, they went to talk to --

1           A. The one time that he had -- he had  
2     interaction with Judge Thomas once with just his mom  
3     and him. And that was about the disability. And  
4     then there was one hearing that he had with  
5     Judge Thomas that his mother, him, and I were all at,  
6     and that is what took place -- what I just told you  
7     is what took place during that hearing that I was at.

8           **Q. Okay. During a second hearing?**

9           A. Yes.

10          **Q. Okay. And so, the first hearing, what**  
11 **happened at that one?**

12          A. I was not present. I can't --

13          **Q. Okay. I see.**

14          **What did Lonnie tell you happened at that one?**

15          A. That we had -- because he didn't -- hadn't  
16     been approved for his disability yet, that we had to  
17     wait until after his -- until after his court date  
18     with disability to go back in front of her.

19          **Q. And that was a hearing -- just so I'm**  
20 **clear -- I think I understand.**

21          **That was a hearing with Judge Thomas?**

22          A. Yes.

23          **Q. Let me try and show you another document**  
24 **here. I'll mark this one as Exhibit 12.**

25                 (Whereupon, Deposition Exhibit No. 12 was

1 marked for identification and made part of the  
2 record.)

3 BY MR. PEDERSON:

4 Q. It's the transcript of proceedings at a  
5 Rule 8 hearing. And I can -- do you have a hard copy  
6 of that?

7 MR. TERRILL: You know what, I think --  
8 Devan, I think the only one I have is the one for  
9 April 1st, 2015.

10 MR. PEDERSON: Oh, okay.

11 MR. TERRILL: No. I don't think I have  
12 that one.

13 BY MR. PEDERSON:

14 Q. Okay. The title of this one is:  
15 "2020-02-25, Lonnie Feenstra Rule 8 Hearing." And it  
16 says on the front: "Transcript of proceeding,  
17 February 25th, 2020."

18 Let me just try and show this to you. I'll try  
19 to let you read it on my screen, if you can.

20 MR. TERRILL: Hold on one second. If this  
21 is Lonnie's, then I think I do have it. Hold on one  
22 second.

23 Yes. I have this one. Are you marking this  
24 as Exhibit 12?

25 MR. PEDERSON: Yeah. We'll mark this as

1 Exhibit 12.

2 THE WITNESS: Can I rephrase something, now  
3 that I see this?

4 BY MR. PEDERSON:

5 Q. Yes.

6 A. Okay. So Judge Thomas stepped down -- sorry,  
7 I completely forgot about this.

8 Judge Thomas stepped down because she was into  
9 the lawsuit. So we did get -- this Judge Gibson is  
10 who knocks the fine -- sorry. I'm so sorry that I  
11 messed that up. Is who knocked the fines and costs  
12 down to the 350. And he was out of Nowata.

13 Judge Thomas was who we were supposed to  
14 originally see, but, because she had to be added --  
15 for whatever legal obligations, had to be added to  
16 this case, we had to see Gibson; so Judge Gibson is  
17 actually who did the -- the reduction of the fines  
18 and costs. And I'm so sorry that I mis-said that.

19 Q. Well, no. That's fine. You're fixing it  
20 now. That's fine.

21 Were you aware that you had sued Judge Thomas?

22 A. I seen judge -- okay. So whenever --  
23 whenever Lonnie seen Judge Thomas, I was not present.  
24 I seen Judge Thomas -- I've seen Judge Thomas twice.

25 Q. Okay. And --

1           A. But I was not present when he seen  
2     Judge Thomas. We were supposed to go back in front  
3     of Judge Thomas after we filed the Rule 8 hearing  
4     paperwork, but whenever we was -- sorry.

5           We had gotten a court date; we were fixing to  
6     go to the court date that morning; we got a  
7     phone call from Judge Thomas telling us that we were  
8     not going to have court that day because she was  
9     going to -- she thought that it was a conflict of  
10    interest because we had -- because she was added into  
11    the lawsuit. And so she had to get a judge that was  
12    outside of Washington County. And that they would  
13    call us back and let us know when court was going to  
14    be.

15          So that afternoon, they had called us back and  
16    told us what judge we were going to see for the  
17    Rule 8 hearing and told us when to be there. And  
18    then we seen this -- and then we seen Judge Gibson  
19    for the hearing. And he's the one -- he's the one  
20    that said that he didn't understand why the things  
21    were transferred from a dismissed felony case to a  
22    speeding -- I think it was speeding -- or a seatbelt  
23    ticket. It was a misdemeanor traffic ticket is what  
24    it was.

25          And so he took all of those fines and dismissed

1 those. And then just -- we just finished paying the  
2 fine that was on the traffic.

3 Q. At the time Judge Thomas called you and told  
4 you she couldn't hear the Rule 8 motion, were you  
5 aware that you and Lonnie had sued Judge Thomas?

6 A. I was not aware at that moment. That was --  
7 again, that is something that my attorneys -- you'll  
8 have to talk to my attorneys. That's something that  
9 they did with the legal matters of the whole -- of  
10 this whole case.

11 Q. Do you have any complaints about anything  
12 that Judge Thomas has done?

13 A. Thus far, no.

14 Q. Have you ever appeared before Judge Vaclaw?

15 A. I think once, but I don't recall. I think  
16 that was once -- I think once during my sentencing,  
17 but I'm not for sure.

18 Q. Are you aware of any complaints you have  
19 against Judge Vaclaw?

20 A. Again, that was -- I mean, I don't -- I don't  
21 even know that I seen him more than once, so -- and I  
22 don't recall what took place during that.

23 Q. So, as you sit here right now, you can't  
24 think of any complaints you might have against him;  
25 is that right?



1 A. No. Not that I -- not that I can recall, no.

2 Q. If you could, let me just -- do you have that  
3 transcript in front of you now, did you say?

4 A. Yeah. The one for Lonnie, yes.

5 Q. Yeah. Could you look over that real  
6 quick and -- well, not real quick.

7 Look over it, take as much time as you need,  
8 and then let me know if that looks like an accurate  
9 recitation of what occurred.

10 A. This was actually the -- the transcript was  
11 actually not even done at the beginning of whenever  
12 we went to court. He took a recess, went outside of  
13 the courtroom, came back, and asked my husband: "Do  
14 you need a court reporter?" And my husband said: "I  
15 thought there was always a court reporter in a  
16 courtroom." And then the judge was like: "We need a  
17 court reporter," and got a court reporter in there.  
18 And then this would be what would take place  
19 afterwards, yes.

20 Q. And what happened before the court reporter  
21 came in?

22 A. We told him -- we talked to the judge about  
23 the case, what had happened, what had taken place  
24 from the fines on a dismissed case being transferred  
25 over. And we had talked about him being on

1 disability and being 100 percent disabled, and we had  
2 taken -- showed him the paperwork that he was  
3 approved for disability and that the judge declared  
4 him 100 percent disabled.

5 And then he said that he needed to check into  
6 it. And so he checked into it, and then came back,  
7 and then asked about a court reporter, and then got a  
8 court reporter. And then you hear -- you see  
9 everything else that was done.

10 **Q. Go ahead and just finish that up and then let**  
11 **me know when you're finished.**

12 MR. TERRILL: Are you wanting her to review  
13 the entire -- every page and every line?

14 MR. PEDERSON: Yeah. It's not that long, I  
15 don't think. Or if you could, you know -- if we  
16 could just stipulate that it's accurate, that would  
17 be fine.

18 THE WITNESS: Okay. Yes.

19 BY MR. PEDERSON:

20 **Q. And have you completed reading Exhibit 12?**

21 A. Yeah. I've been going over it -- I went over  
22 it, yes.

23 **Q. And does that look like an accurate --**

24 A. For what I did read, yes.

25 **Q. Did you see anything that was wrong with it?**

1 A. Not that I read.

2 Q. Do you want to -- why don't you just go ahead  
3 and finish it. Don't be rushed. Just take as much  
4 time as you need.

5 THE WITNESS: Does he want me to read the  
6 whole thing?

7 MR. TERRILL: Review it and just make sure  
8 that there's nothing in there that's inconsistent  
9 with your recollection.

10 Do you want to go off the record while she's  
11 doing that?

12 MR. PEDERSON: Yeah. Let's go off the  
13 record.

14 THE REPORTER: Off the record at 11:53 a.m.

15 (Break was taken: 11:53 a.m. to 12:03 p.m.)

16 THE REPORTER: Back on the record at  
17 12:03 p.m.

18 BY MR. PEDERSON:

19 Q. Ms. Feenstra, have you had an opportunity to  
20 review the transcript marked as Exhibit 12, which is  
21 the transcript of Lonnie's Rule 8 hearing?

22 A. Yes, sir.

23 Q. Does that look accurate to you?

24 A. Yes, sir.

25 Q. Let me show you another document. This is --

1 the title of this file is: "Dkt. State v. Ackerson  
2 CF-2014-465."

3 And this is the docket sheet for your  
4 Washington County case. And it has a docket entry  
5 for 5/22/2020. It says:

6 "Thomas. Defendant without attorney.  
7 Defendant appears for fines and costs review.  
8 Defendant advises she is waiting to have  
9 surgery and is unable to work. Court  
10 suspends payments for 6 months. Defendant  
11 ordered back on 11/20/20 at 11:00 a.m."

12 Do you see that?

13 A. Yes.

14 Q. And is that what you were just telling us  
15 about with Judge Thomas?

16 A. Previously, when we were talking about me,  
17 not Lonnie?

18 Q. Yes.

19 A. Yes.

20 Q. And is that -- do you think that occurred --  
21 this says it occurred on 5/22/2020. Does that sound  
22 right to you?

23 A. Yes, sir.

24 Q. And it looks like you were ordered back on  
25 11/20 of 2020, which is in about 8 days. Do you see

1 that?

2 A. Yes.

3 Q. Do you know if you are planning to go to that  
4 hearing on 11/20/2020?

5 A. Yes.

6 Q. Lonnie did his Rule 8 motion, and you helped  
7 him fill it out; correct?

8 A. Yes.

9 Q. And he got thousands of dollars taken off of  
10 his fines and fees; correct?

11 A. Yes.

12 Q. Have you thought about doing a Rule 8 motion  
13 on your own case?

14 A. I didn't know that I could.

15 Q. Have you ever filed a Rule 8 motion in one of  
16 the other counties where you've had criminal cases?

17 A. I don't know. I can't tell you.

18 Q. Do you know what a Rule 8 motion is?

19 A. It's to go in and talk to them about your  
20 fines and costs.

21 Q. Do you think you may have done that in one of  
22 your other cases, or you just don't know?

23 A. I just don't -- I don't recall.

24 Q. In any of your other cases -- have you gone  
25 in and talked to the judge in any of those other

1 cases about reducing your fines and costs installment  
2 payments?

3 A. I believe so, yes.

4 Q. And have they done that for you?

5 A. Yeah. I mean, I've -- I'm paying a low  
6 amount over in Woodward, but it's still hard to pay  
7 it.

8 Q. Did you -- let me switch gears real quick  
9 here.

10 Did you graduate from high school?

11 A. I got my GED.

12 Q. You have a GED?

13 And have you had any other training or classes  
14 or college work since you obtained your GED?

15 A. I have a little bit of college.

16 Q. And approximately how many hours do you have,  
17 the best you can recall?

18 A. 10, 15, 20, somewhere in there.

19 Q. And where did you get those hours?

20 A. Steves-Henager online.

21 (Reporter clarification.)

22 BY MR. PEDERSON:

23 Q. And do you recall what kind of courses those  
24 were, in general?

25 A. I was taking courses for my accounting

1 degree.

2 Q. Do you intend continuing pursuing that  
3 degree?

4 A. I don't know what I can do, being a felon  
5 now; so I have not thought about going back to  
6 school.

7 Q. Any other training, other than that, you can  
8 think of?

9 A. While I was in prison, I did vo-tech for  
10 transportation, distribution, and logistics.

11 Q. Did you get any kind of license or  
12 certificate from that training?

13 A. A forklift license.

14 Q. And are you currently licensed to operate a  
15 forklift?

16 A. I don't know if they expire or not.

17 Q. Any other education or training, other than  
18 what you've told us about?

19 A. No.

20 Q. Any other licenses or certificates?

21 A. No.

22 Q. When you go back to court on 11/20/2020, what  
23 are you going to ask the court to do for you?

24 A. Let them know that I still haven't had  
25 surgery and that I'm still not going to be able to

1 pay.

2 Q. Do you know what judge you'll be seeing?

3 A. Thomas, I believe.

4 Q. Okay. And if you can bear with me just a  
5 minute, I'm going to look at some notes here.

6 MR. PEDERSON: Actually, would this be a  
7 good time to take our bunch break? I think we're  
8 getting very, very close.

9 MR. TERRILL: How long were you planning to  
10 break because I just -- I mean, I think Lilia was  
11 telling --

12 MR. PEDERSON: Yeah.

13 MR. TERRILL: -- you guys earlier, we just  
14 need to make sure that we get through both of these  
15 witnesses before, I think, 2:30.

16 MR. PEDERSON: Do you want to break for,  
17 like, 20 minutes?

18 MR. TERRILL: Yeah. If you guys are  
19 comfortable doing that, we can do that, as long as  
20 you guys think you can get through it in that time.

21 MR. PEDERSON: Let's see -- let's see where  
22 we're at. And I think -- let's go off the record.

23 THE REPORTER: We're off the record at  
24 12:11 p.m.

25 (Break was taken: 12:11 p.m. to 12:46 p.m.)



1 THE REPORTER: Back on the record at  
2 12:46 p.m.

3 BY MR. PEDERSON:

4 Q. Ms. Feenstra, let me show you another  
5 document here. Are you able to see a document on  
6 your screen?

7 A. Yes.

8 Q. Okay. Have you seen that document before?

9 A. That's my signature and my handwriting; so  
10 I'm sure I have.

11 MR. PEDERSON: Mark that as Exhibit 13.

12 (Discussion had off the record.)

13 (Whereupon, Deposition Exhibit No. 13 was  
14 marked for identification and made part of the  
15 record.)

16 BY MR. PEDERSON:

17 Q. And it's from Garvin County, "Defendant's  
18 Attestation Regarding Failure to Pay Pursuant to  
19 Rule 8."

20 Do you know what this document is?

21 A. Oh, yeah. This is whenever I went in front  
22 of the judge about my -- in Garvin County about my  
23 knee surgery as well.

24 Q. And have you gone before all the judges in  
25 your criminal cases that you're paying fines and fees

1 on about your knee?

2 A. Yes.

3 Q. Have they all suspended them?

4 A. Yes. Except for -- except for Woodward  
5 County. They just lowered them.

6 Q. And they lowered that to 25, I think you said  
7 earlier?

8 A. I pay 20 to the district attorney and 20 to  
9 the courthouse.

10 Q. Oh, okay. That's right.

11 Have you ever asked a judge in any of your  
12 cases to wipe out all your fines and costs?

13 A. I didn't know that I was able to.

14 Q. If I told you that you were able to go before  
15 the court in Washington County and ask that a portion  
16 of your fines and costs could be eliminated, would  
17 that be something you'd be interested in doing?

18 A. No. I can't do just a portion. I can't  
19 afford to pay anything. I'm indigent. I'm broke.

20 Q. Have you -- if you could go before the court  
21 and ask -- in Washington County and ask them to wipe  
22 out all of your fines and costs, is that something  
23 you'd be interested in doing?

24 A. Yes.

25 Q. You weren't aware that you could ask for

1 that?

2 A. I did not know that.

3 Q. Would you be able to afford to pay \$10 a  
4 month in Washington County?

5 A. No, I can't. I have a hard time paying the  
6 \$20 I'm paying to Woodward County.

7 Q. So there's no amount that you could pay to  
8 Washington County?

9 A. No. I mean, I can't. It's always a  
10 constant -- even if I had -- say, they -- I went in  
11 and they were like, "Oh, we're going to lower it down  
12 to -- we're going to take half of it off." Okay. So  
13 that half is still going to take me until I'm 60 or  
14 70 to pay off. So I'm always going to have the rest  
15 of my life looking over my shoulder going, "Can I pay  
16 my fines and costs this month? I don't have money to  
17 pay that. Am I going to go to jail?"

18 I've already paid my time -- I've already done  
19 what -- I mean, I've already paid my time. I'm ready  
20 for it to be over with. I mean, I -- yes, my  
21 criminal past is my fault, but I can't make enough  
22 money to support my family and to pay all of these  
23 fines and costs. I've already paid my due for what  
24 I've done.

25 Q. Once your knee is better and you're able to

1 return to work, do you have any plans to get any  
2 kind of training or education that might help you get  
3 a higher-paying job?

4 A. Maybe one day. I just don't know how -- I  
5 don't know how to do that when I don't have any money  
6 in a savings account. So I can't go back -- I can't  
7 go to college because I don't have time to go to  
8 college. I mean -- and I can't stay at home and go  
9 to college because I have to work in order to pay my  
10 bills. Like, I don't -- I don't know -- I mean,  
11 furthering my education is something I would like to  
12 do. I just don't know how to go about doing that  
13 when I have no money.

14 Q. If you were able to get all of your fines and  
15 costs in all of your criminal cases suspended for a  
16 year, do you think that would help you in having the  
17 resources to try and get some kind of education or  
18 training to find a better job than you have now?

19 A. Well --

20 MR. TERRILL: Object to form.

21 You can answer.

22 THE WITNESS: Again, my fines and costs  
23 have been suspended throughout this knee situation,  
24 but I still am not in a better place to pay anything.  
25 And a year from now, I'm not going to be in a better

1 place than what I am right now.

2 BY MR. PEDERSON:

3 Q. Well, right now you can't work very much  
4 because you have knee problems. Do you think that's  
5 a permanent injury?

6 A. My doctor said because it's taken so -- that  
7 it very well will be a permanent injury, that I will  
8 always -- well, he told me the last time I seen him  
9 that I would have a permanent disability in my knee  
10 always.

11 MR. TERRILL: I'm going to object to the  
12 last question.

13 BY MR. PEDERSON:

14 Q. Have you -- has your doctor told you whether  
15 or not you will ever be able to work again?

16 A. He hasn't said that. He just said that I  
17 would have a permanent disability in my leg  
18 because -- or in my knee because it has taken so long  
19 for the surgery, that I would have a permanent  
20 disability.

21 Q. Where do you see yourself, say, 5 years from  
22 now job-wise?

23 A. I'm still probably going to be a server. I  
24 don't know.

25 MR. TERRILL: Object to form.

1 Go ahead.

2 BY MR. PEDERSON:

3 Q. Now, earlier you said continuing your  
4 education is something that you are interested in  
5 doing, but you just don't have the means to do it; is  
6 that right?

7 A. Right.

8 Q. A while back, you read the transcript of  
9 Lonnie's Rule 8 hearing in front of Judge Gibson. Do  
10 you remember that?

11 A. Yes.

12 Q. Do you have any complaints about the way  
13 Judge Gibson handled that hearing?

14 A. No. I mean, I think that all of his fines  
15 should have been -- with him being disabled, he  
16 shouldn't have had to pay anything. But that wasn't  
17 my place. That was his place to say that he was okay  
18 with 393. But whenever you do speak with him, you  
19 can ask him the same thing. I told him when we left  
20 the courtroom that he should have fought for all of  
21 it to be gone, being disabled.

22 Q. Do you know how to look up your case online?

23 A. Yes.

24 Q. Do you have internet access that you can look  
25 up your cases online?

1 A. Yes.

2 Q. Are you able to see your court dates and  
3 things of that nature?

4 A. Yes.

5 Q. How about the -- are there some computer  
6 terminals on the first floor in Washington County.  
7 Have you ever used those to look up your case?

8 A. I had no idea there was -- that they were  
9 there.

10 Q. Back at the time when you were sentenced in  
11 your Washington County case, did the judge ask you if  
12 you would be able to pay the entire amount  
13 immediately?

14 A. Yes. And I told the judge I couldn't pay any  
15 of it.

16 Q. And after that, they set you up on a payment  
17 plan?

18 A. No. He told me that I could come in -- when  
19 I was released from prison, I could come in and work  
20 for him to -- to make the -- to do the fines and  
21 costs. And that's what my intention was throughout  
22 prison. But I never seen DeLapp again after I got  
23 out of prison.

24 Q. Other than what you've already told us about,  
25 do you recall any further conversations you had with

1 Judge Thomas?

2 A. No.

3 Q. Other than what you've already told us about,  
4 can you recall any other conversations you've ever  
5 had with Judge Sigler?

6 A. No.

7 Q. And how about Judge Vaclaw?

8 A. No.

9 Q. And earlier we talked about your expenses at  
10 the time of a hearing you had --

11 A. Yes.

12 Q. -- previously.

13 Are your expenses any different now than they  
14 were at that time?

15 A. Yes.

16 Q. Okay. Tell me about your expenses now.

17 A. Oh. So I have my electric bill, which runs  
18 about 250 a month. I have my water bill, which runs  
19 about 100, 115 a month. I have my gas bill, which is  
20 about \$45 a month. I have my food bill, which is  
21 about \$400 a month. I have my vehicle payment, my  
22 husband's vehicle payment, which is -- I pay 245  
23 every 2 weeks, and I pay 199 every 2 weeks on my  
24 husband's vehicle. We have our vehicle insurance  
25 each month. We have loan payments. Because of not



1 being able to work, I had to go take loans out so I  
2 could pay my bills; so now I have loan payments. I  
3 have my fines and costs in Woodward, Washington,  
4 Osage, Grady. Am I forgetting anything?

5 MR. TERRILL: You can't ask me.

6 THE WITNESS: Oh. What all did I write?  
7 Did you write down everything I said?

8 BY MR. PEDERSON:

9 Q. Do you have a phone? A phone bill?

10 A. Oh, yes. My phone bill. My phone bill is  
11 160 for my husband's, mine, and my son's phone. My  
12 son -- I have insurance on my son's vehicle. And he  
13 just lost his job; so I might have to make his car  
14 payment, too, if I can afford it. If not, his car  
15 will go back.

16 Q. How old is your son now?

17 A. He'll be 17 on December 9th.

18 Q. And this is your adopted son that you told us  
19 about earlier?

20 A. Yes, sir.

21 Q. Who all lives with you now?

22 A. My son and my husband and I.

23 Q. And where do you live?

24 A. 1601 South Madison Boulevard, Bartlesville,  
25 Oklahoma, 74006.

1 Q. Do you have expenses relating to any other  
2 children?

3 A. Child support.

4 Q. And how much do you pay in child support?

5 A. Right now I know -- right now they just take  
6 a few dollars out of my check. But I'm, like, 35- or  
7 \$40,000 behind in back child support, something like  
8 that. And then, whenever I'm actually working, they  
9 take, like, 2- or -- about \$200 every 2 weeks out of  
10 my check. And since I haven't been working -- or,  
11 like, having a full paycheck like with my kids, I  
12 send them money. So...

13 Q. And who do you send that money to?

14 A. To their grandmother.

15 Q. And how much do you send her per month now?

16 A. Last month, I gave them a hundred dollars --  
17 \$200. And this month, I haven't given them anything.  
18 I haven't had it.

19 Q. Are you ordered to pay a certain amount per  
20 month in child support?

21 A. I have no idea what it was. I didn't even  
22 know that I was supposed to pay child support until  
23 about a year ago. So I need to get ahold of  
24 Woodward County and figure it out.

25 Q. What's the grandmother's name that you pay

1 the child support to?

2 A. Elizabeth Hazen.

3 Q. I'm sorry. The last name?

4 A. Hazen, H-A-Z-E-N.

5 Q. And who's the father of those children?

6 A. Nathan McCluskey.

7 Q. Does he also pay child support to Ms. Hazen?

8 A. I have no idea.

9 Q. Do you know if he's supposed to?

10 A. I have no idea. He's in prison.

11 Q. All right. How many children do you have,  
12 altogether?

13 A. With Nathan and I?

14 Q. Yes. Let's do that first.

15 A. I have two children with Nathan.

16 Q. And what are their ages?

17 A. Trenton is 17, and Nakia [phonetic] is 16.

18 Q. I'm sorry, I didn't hear the last age.

19 A. 16.

20 Q. And what other children do you have?

21 A. Colton, and he is 12 -- or he'll -- sorry.

22 Yeah. He's 12. He'll be 13 in -- yeah. He's 12.

23 And then I have Maliki [phonetic]. He's 10.

24 Q. And where does Colton live?

25 A. Enid, Oklahoma.

1 Q. And who -- who does he live with?

2 A. His father.

3 Q. What's his father's name?

4 A. Joshua Tharp, T-H-A-R-P.

5 (Reporter clarification.)

6 BY MR. PEDERSON:

7 Q. And what about Maliki?

8 A. He's in Elton, Louisiana, with my mother.

9 Rayne Ackerson -- or, sorry, Rayne Morehouse. It's  
10 R-A-Y-N-E. Last name is M-O-R-E-H-O-U-S-E.

11 Q. Do you pay child support for Colton or  
12 Maliki?

13 A. Yes.

14 Q. And who do you pay that to?

15 A. It comes out of my check, my paycheck when  
16 I'm working.

17 Q. Have you been -- other than that, have you  
18 been ordered to pay a certain amount per month for --

19 A. Again, I'm not -- again, I'm not for sure. I  
20 don't know what -- the ins and outs. Whenever  
21 everything took place, I was under the influence that  
22 I did not have to pay child support. And then the  
23 state -- whenever the guardians went and got state  
24 help is whenever the state did the child support  
25 thing. So I have to figure out all the ins and outs

1 of that. I'm not for sure what it is.

2 Q. Do you know what county the child support  
3 payments are through?

4 A. Woodward.

5 Q. And that's for all of them?

6 A. Yes.

7 Q. Let's see. So I've got five children so far.

8 Any others?

9 A. I mean, Lonnie's kids. But I don't --  
10 I mean, I get their, like, Christmas presents and  
11 birthday presents and things like that. But  
12 I mean...

13 Q. How much do they take out of your check for  
14 Colton?

15 A. I don't know. They just started doing that;  
16 so I don't -- I mean, they just started doing it  
17 right before I -- right before I got hurt. And I  
18 don't remember exactly what they were taking out.

19 Q. And you don't remember for Maliki?

20 A. No. I still -- I mean, I just haven't been  
21 able to -- since I got hurt, I haven't been able to  
22 do it. And I just -- I've had a lot going on; so I  
23 haven't been able to get all the ins and outs of what  
24 I need to do with that to straighten it out. I need  
25 to take time to do that.

1 Q. And your parental rights have not been  
2 terminated as to any of these children; is that  
3 correct?

4 A. No, they have not.

5 Q. And how much are your son's car payments? I  
6 can't remember which son you were telling me about.  
7 One of your sons had a car payment you were saying  
8 you might have to pick up?

9 A. Logan.

10 Q. Do you know how much those are?

11 A. 350. I just -- I mean, I don't think I'm  
12 going to have it to be able to do it. I have to come  
13 over to where he got his car and talk to the guy and  
14 let him know what's going on and see if we can do  
15 something until he gets another -- like, at 350, I  
16 can't afford that.

17 Q. Okay. And Logan lives with you; right?

18 A. Huh?

19 Q. Logan lives with you?

20 A. Yes.

21 Q. So what -- you guys have three cars in your  
22 household; is that right?

23 A. Well, one of them I'm making car payments on  
24 and the motor just blew up, like, 3 months ago. So  
25 I'm making car payments on it, but it doesn't work.

1 It doesn't even run. But I still have to pay it off  
2 because it's on my credit. And I can't afford -- the  
3 motor is \$2,400, and I can't afford that. I don't  
4 have that to put a new motor in it. So --

5 **Q. So whose vehicle is that one?**

6 A. That's my vehicle.

7 **Q. Oh, that's yours.**

8 **And what is it?**

9 A. It's a 2006 Envoy Denali.

10 **Q. And what does your husband drive?**

11 A. A 2006 Chrysler.

12 **Q. And how about your son?**

13 A. He's got a 2012 Ford Focus.

14 **Q. And what kind of cell phone do you have?**

15 A. Just a free cell phone you get from Cricket.

16 **Q. And what about Lonnie?**

17 A. It's a free cell phone you get when you --  
18 from Cricket.

19 **Q. And how about Logan?**

20 A. Same thing; just a free cell phone you get  
21 when you switch to Cricket.

22 **Q. In this lawsuit that you filed against the**  
23 **judges, what are you hoping that the federal judge**  
24 **does in this case? What are you hoping to get out of**  
25 **this case?**

1           A. Well, I mean, I want -- not only do I want my  
2   fines and costs to be taken care of, like wiped clean  
3   because I can't afford to pay them, but I want this  
4   not to happen to anybody else again. Like I want --  
5   I want the judges to pay attention to, hey, yes, this  
6   person did wrong, but this person has changed. This  
7   person is doing what they're supposed to be doing.  
8   What can I do to help them, you know. Is he or she  
9   indigent? Can they afford to do this? If they can't  
10   afford to pay this, what are my legal obligations to  
11   help? Like talk to you. Don't say, "Hey, that's  
12   what I ordered. So sit down." Or, "I don't care  
13   that you have to go to work and you're the sole  
14   provider. Go sit down. You're going to stay in  
15   jail."

16           Like you're supposed to be there -- I get that  
17   I made a mistake. I get that other people make  
18   mistakes. I get that there's things that happen that  
19   shouldn't happen. But everybody, everybody has  
20   broken the law in one way or the other, whether it's  
21   not wearing a seatbelt or it's speeding or taking  
22   somebody's pen off of a desk and not meaning to.  
23   There's not a person in this world that has not broke  
24   the law. But people do change. And I think that the  
25   judges should listen to them and to do their



1 obligation by helping them as much as they can.

2 I've paid my due, I've paid my time, I've paid  
3 for the crimes I committed, and I've changed my life.

4 And for these fines and costs to constantly be  
5 hovering over my house and my family, and choosing  
6 whether I'm going to pay my fines this month or I'm  
7 going to feed my kids this month -- okay, I can't pay  
8 my fine this month because I've got to feed my kid;  
9 so am I going to have a warrant for my arrest?

10 What's going to happen when I get arrested? My  
11 husband is going to have to go figure out how to get  
12 money because we don't have it. Like, I shouldn't  
13 have to have to worry about all of that. I've  
14 prove -- I mean, I just shouldn't have to worry about  
15 all of that. And that's what I want them to realize.  
16 I want them to do -- like do their job.

17 MR. PEDERSON: Thank you, Ms. Feenstra.  
18 That's all I have.

19 CROSS EXAMINATION

20 BY MR. WILLIFORD:

21 Q. Ms. Feenstra, do you need a break or  
22 anything, or are you ready to --

23 A. No. I'm good.

24 Q. -- just keep going?

25 A. I'm good. I want to hurry up, try to do

1 this; so I can get to work.

2 Q. All right. Fair enough.

3 Well, ma'am, my name is Jon Williford, and I  
4 represent Mr. Craig Sutter and the OIDS Defendants in  
5 this case. Okay?

6 A. Yes, sir.

7 Q. If, at any time, you can't hear me or our  
8 connection cuts out -- we saw earlier my microphone  
9 went down -- just let me know or waive your hand or  
10 something, and then we'll know that we've got some  
11 sort of issue here; okay?

12 A. Okay.

13 Q. If you don't understand my question, just let  
14 me know that and I'll do my best to try to rephrase  
15 it or reword it; okay?

16 A. Yes, sir.

17 Q. I will probably jump around a bit. Devan  
18 covered a lot of territory with you; so I'm just  
19 going to go fill in some gaps. So again, if you  
20 don't -- if my question doesn't make sense because it  
21 seems out of order or misplaced or whatever, again,  
22 just let me know and I will do my best to give you  
23 some context of where I'm coming from and what my  
24 question relates to; okay?

25 A. Yes, sir.

1 Q. As I said, I represent OIDS and Mr. Craig  
2 Sutter that you've sued in this case.

3 Do you know who Craig Sutter is?

4 A. I'm not for sure who he is, no.

5 Q. Have you -- to your knowledge, have you ever  
6 met him?

7 A. Not that I know of, no.

8 Q. You mentioned earlier that you had an  
9 attorney that was on your case prior to  
10 Mrs. Branstetter. Do you remember that?

11 A. Yes.

12 Q. Does the name -- I believe it's pronounced  
13 Canaster, Jim or James Canaster?

14 A. Jim.

15 Q. Would that be it? Jim?

16 A. I think so, yes.

17 Q. And he was a court-appointed attorney as well  
18 as Ms. Branstetter; correct?

19 A. Yes.

20 Q. And do you believe that Jim -- do you believe  
21 that, while he was on your case, he was doing a good  
22 job for you?

23 MR. TERRILL: I'm going to object to form.

24 You can answer.

25 THE WITNESS: From what I recall, he didn't

1 answer my phone calls either, and he didn't come to  
2 see me except for the morning of court, too. Like  
3 the paperwork for being filed for drug court and  
4 stuff, I did that on my own.

5 BY MR. WILLIFORD:

6 Q. Do you know -- I think you've told us -- for  
7 the Washington County case and the charges in  
8 Washington County, I think you told us you were  
9 arrested in October; is that right?

10 A. I believe so, yes.

11 Q. Okay. And that would have been October 2014;  
12 is that right?

13 A. Yes.

14 Q. Do you happen to know when after that  
15 Mr. Canaster stopped being your attorney?

16 A. No. I don't know dates at all.

17 Q. Was it -- and I don't know this, either; so  
18 I'm not trying to trick you or trap you or anything.  
19 I'm just trying to get a timeline for how long he was  
20 on your case, as opposed to how long Ms. Branstetter  
21 was on your case.

22 So was he your attorney for a couple of months?  
23 6 months? Do you have any idea?

24 A. I mean, I was in -- I just figured it out  
25 while we were on break. I was only in jail for

1 282 days -- about 282 days, somewhere in there. I  
2 don't know when -- I know that I went to court, filed  
3 for my court-appointed attorney. They appointed me  
4 an attorney. And then I had to go back to court.  
5 I think it was for a preliminary or something. And  
6 that's when I seen him for the first time. And we  
7 talked.

8 **Q. Okay.**

9 A. Nothing had happened on my case before I  
10 actually met with him, except for the fact that I had  
11 applied for drug court. And that's --

12 **Q. Okay.**

13 A. -- what we were going into court for -- or I  
14 believed we were going into court for the drug court  
15 paperwork I had filled out. And whenever I got  
16 there, I found out it was a preliminary or something.  
17 I had talked to him, and that was the only time I had  
18 talked to him. And then the next time, I had  
19 Linda Branstetter.

20 **Q. Okay. So you said 282 days in jail. Is that**  
21 **total?**

22 A. Approximately is what I spent in the county  
23 jail, yes.

24 **Q. That's the total in Washington County for**  
25 **these charges; is that correct?**

1 A. Approximately, yes.

2 Q. Sure, sure, sure. No, no, no. I understand.

3 It's approximate. But I just want to make sure that

4 we're talking about your entire time in

5 Washington County, not the time before you had

6 Ms. Branstetter as your attorney.

7 A. No. It was the entire time. It was from

8 October, when I got arrested, until June, whenever I

9 went to prison.

10 Q. Okay. Thank you.

11 And I believe one of your complaints with

12 Mrs. Branstetter was that she didn't -- she didn't

13 fight for you to get to drug court. Is that -- am I

14 correct in that?

15 A. I don't believe she fought for me for

16 anything. I believe that the district attorney gave

17 her a plea agreement and that's what she did. I

18 don't believe that she asked for anything different.

19 I don't believe she tried for anything different. I

20 don't believe that -- I don't believe she talked to

21 them on my behalf at all.

22 Q. While we're here, we have -- there's been

23 some requests to Ms. Branstetter to get a look at her

24 files for your case. And she's produced what I

25 assume is all of them. Do you have any objections to

1 us looking at her entire file? It's your -- it's  
2 your attorney-client privilege to waive; you still  
3 have that. And I just want to know, while we have  
4 you here, so we can maybe send her this --

5 A. I don't think I have anything to hide. She  
6 didn't do anything for me; so there's nothing to  
7 hide. So I don't -- I don't see an issue with it.

8 Q. Okay.

9 MR. TERRILL: We'll discuss with her and  
10 then follow back up with you shortly after the  
11 deposition.

12 MR. WILLIFORD: I understand, Steven. I'd  
13 just like to get it on the record so that -- because  
14 it's my understanding there was some issues with  
15 getting a consent form to get those files. And so  
16 I'd like to just get that taken care of on the  
17 record. We can do it after we're done here, but I'd  
18 like to get it on the record in case there's anything  
19 additional in those files that we need.

20 But we can move on.

21 MS. VAZOVA: As long as we're getting stuff  
22 on the record, I would also like to clarify for the  
23 record that the issue is not getting a consent form  
24 from Ms. Feenstra but with Mrs. Branstetter's  
25 acceptance of the consent form we provided. We have

1 asked for the materials multiple times. So far she  
2 has declined to provide them.

3 MR. WILLIFORD: No. That's fine. Like I  
4 said, I -- or I didn't say this, but I don't know the  
5 full extent of the discussions between your attorneys  
6 and Ms. Branstetter; so I don't know -- you know, I  
7 don't know the status of that. But we'll cross that  
8 bridge later.

9 BY MR. WILLIFORD:

10 Q. You mentioned you sent Ms. Branstetter --  
11 I think you said -- was it four letters,  
12 Mrs. Feenstra?

13 A. Approximately. Somewhere around there, yes.

14 Q. Sure.

15 Where did you get the address to send her these  
16 letters?

17 A. From one of the other inmates in the  
18 Washington County Jail.

19 Q. Okay. Let me try this here. I'm going to  
20 try to show you a document. And I don't think this  
21 was sent over; so let me see if this works. Can you  
22 see the document that's up on the screen now,  
23 Ms. Feenstra?

24 A. Yes.

25 Q. This is the -- let's mark this.



1 (Whereupon, Deposition Exhibit No. 14 was  
2 marked for identification and made part of the  
3 record.)

4 BY MR. WILLIFORD:

5 Q. Ms. Feenstra, do you recognize this document  
6 we're looking at as Exhibit 14?

7 A. Yes.

8 Q. Okay. What is that?

9 A. My application for drug court.

10 Q. Okay. This is in Washington County?

11 A. Yeah.

12 Q. Okay. And the handwriting on there that we  
13 can see, is that your handwriting where -- let me see  
14 if I can highlight this, try this out here.

15 This right here, is that your handwriting?

16 A. Yes.

17 Q. Okay. And all of the questions that are  
18 answered there, is that all your handwriting as well?

19 A. Yes.

20 Q. Where did you -- how did you come into -- to  
21 fill this form out?

22 A. I asked the jail for it.

23 Q. Okay. And it looks like it's dated  
24 February 1st, 2015. Do you see that?

25 A. Yes.

1 Q. And is that your signature right beside it?

2 A. Yes.

3 Q. And it looks like you -- you've listed your  
4 attorney, Linda Branstetter?

5 A. Yes. Because I had filled out the drug  
6 court-appointed attorney whenever I had the guy to,  
7 and they said I had to reapply for it whenever I got  
8 her.

9 Q. And when we go back to the top of Exhibit 14,  
10 if we look right there, there's a handwritten note  
11 there. Can you read what that says?

12 A. It says "denied by the judge."

13 Q. And what's that dated?

14 A. It says 4/1/15.

15 Q. And that's before you entered your plea in  
16 this case; isn't that correct?

17 A. Yes. But I've never seen the denied part  
18 before today.

19 Q. But you were told by Ms. Branstetter that  
20 drug court was not an option when you entered your  
21 plea; correct?

22 A. Yes.

23 Q. All right. And again, your plea was entered  
24 after April 1st, 2015; correct?

25 A. I believe so.

1 Q. And we've mentioned -- and I don't want to  
2 get too far into the weeds on some of these. But  
3 prior to the Washington County charges that we're  
4 talking about today, you had other criminal charges  
5 before that; true?

6 A. Yes.

7 Q. And in each one of these cases, you always  
8 had a court-appointed attorney; correct?

9 A. Yes.

10 Q. And I believe, if I'm looking at -- if I  
11 looked at everything, you only had one charge in  
12 Tulsa County; is that right?

13 A. It was a bogus check, I think, yes.

14 Q. That was approximately 2009; right?

15 A. Yes.

16 Q. Other than -- and in Tulsa County, you had  
17 the Tulsa County public defender?

18 A. No. I never had an attorney out of  
19 Tulsa County.

20 Q. Okay. It was a court-appointed attorney?

21 A. No. I never had an attorney. I never went  
22 to court for it. I just paid the fine, the bogus  
23 check.

24 Q. Oh, I understand. I misunderstood you,  
25 I'm sorry.

1           Okay. So you never had an attorney, at all, in  
2   Tulsa County?

3           A. No.

4           Q. Okay. Fair.

5           All of -- the Garfield County case, the  
6   Garvin County case, the Woodward County, and  
7   Osage County, those were all court-appointed  
8   attorneys; is that right?

9           A. Garfield County, I don't believe I ever had  
10   an attorney either. I think I dealt with them on my  
11   own.

12          Q. Okay.

13          A. Because it was just a petty theft, and I was  
14   guilty, I knew I was guilty. I just pled guilty, got  
15   out of jail, and paid the fee -- paid the fine.

16          Q. Okay. The rest of them were all  
17   court-appointed?

18          A. Yes.

19          Q. And the rest -- in all of those other cases,  
20   when you pled guilt, were you assessed fines, fees,  
21   and costs in those cases?

22          A. I knew that I had to pay them, but I didn't  
23   know total amounts.

24          Q. Okay. And I believe you told us earlier that  
25   Ms. Branstetter did tell you about having to pay

1 fees -- fines and fees -- fines and costs in this  
2 Washington County case?

3 A. Right. But I was not told about jail in  
4 fees.

5 Q. Oh, you weren't told about the jail  
6 incarceration fees?

7 A. No. I was told I had a fine. I was told I  
8 had the \$250 OIDS fee. There was another \$250 fee.  
9 And then there was the amount of the restitution.

10 Q. All right. And this is me jumping around a  
11 bit; so I apologize.

12 Do you know what -- as we sit here today, if we  
13 were to total up all the costs and fees that you owe  
14 to these various counties, do you know what that  
15 total would be?

16 A. I have no idea.

17 Q. Okay.

18 A. I know it's an obscene amount of money is  
19 what I know. I think Washington County and  
20 Woodward County are the most.

21 Q. If we use the term -- I think you and  
22 Mr. Pederson used the term a handful of times -- a  
23 "Rule 8 hearing." If I use that term -- or let me do  
24 this. What does that term mean to you?

25 A. You go in, you fill it out so you can go in

1 front of the judge and talk about your fines and  
2 costs.

3 Q. Okay. So I use that -- if I use that term  
4 "Rule 8," you will -- we'll use that definition; is  
5 that fair?

6 A. Okay.

7 Q. And you've had Rule 8 hearings before you  
8 entered this plea in Washington County, haven't you?

9 A. I guess that's what you would call them.  
10 I've never filled one out before or -- I never filled  
11 one out to go -- or I don't recall filling one out  
12 before I filled out the one for my husband.

13 Q. You don't recall filling out the form.

14 My question is: Do you recall having Rule 8  
15 hearings in these other counties before the  
16 Washington County charges?

17 A. I mean, I didn't know that that's what they  
18 were called. I know they -- I mean, I went to court  
19 for my fines and costs. I didn't know that they were  
20 called Rule 8 hearings.

21 Q. Okay. No, no. That's fair. I think I  
22 understand.

23 You do, I guess, agree that, prior to the  
24 Washington County case, you had been to court in  
25 front of judges for your fines, fees, and costs --

1 A. Yes.

2 Q. -- issues; is that fair?

3 A. Yes.

4 Q. And do you recall, in any of your  
5 conversations with either Mr. Canaster or  
6 Ms. Branstetter, having a discussion about your  
7 fines, fees, and costs from other counties?

8 A. No.

9 Q. Did you ever raise that issue with them?

10 A. I don't -- I don't recall.

11 Q. Okay. The court-appointed attorneys that you  
12 had in the other counties, do you feel like they did  
13 a good job for you?

14 A. That's funny, too. No, not really. I don't  
15 think that I've ever had a court-appointed -- or an  
16 OIDS-appointed attorney that's ever given me their  
17 attention like they should have or come and seen me  
18 like they should have or explained things like they  
19 should have in detail about things. I have gotten  
20 more information about the way fines, costs, and  
21 restitution, all that is in the last year and a half  
22 since I've had my new attorneys than I have out of  
23 any attorney.

24 Q. Okay.

25 A. Court-appointed attorneys is all I've ever

1 been able to have, so...

2 Q. Sure. No. That's why they're there, I mean,  
3 so -- okay.

4 When then -- do you know why you decided to sue  
5 the ones from Washington County, as opposed to, say,  
6 the ones from Garvin County?

7 A. Well --

8 MR. TERRILL: I'm going to object to the  
9 form of the question and instruct --

10 MR. WILLIFORD: And Mrs. Feenstra --

11 MR. TERRILL: -- to the extent that it  
12 implies or discusses any conversations that she's had  
13 with her attorneys.

14 BY MR. WILLIFORD:

15 Q. That's fine. That's why I was going to  
16 clarify it.

17 I don't want to know about any conversations  
18 you've had with Mr. Terrill or Ms. Vazova or any of  
19 your current attorneys on this case that we are here  
20 to talk about; okay?

21 My question more is just to your understanding.

22 Do you have an understanding of why you didn't  
23 name the attorneys in, say, Garvin County, for  
24 example?

25 A. My understanding is because this is the only



1 county that I was -- like, this is what was brought  
2 to -- I didn't even know, before this started, that I  
3 could do anything to change anything.

4 Q. Okay.

5 A. Because I --

6 Q. No. I understand. I'm just curious. I'm  
7 just curious. I appreciate that.

8 So let's go back to the Washington County case,  
9 okay, that we're here to talk about with  
10 Ms. Branstetter.

11 Did you ever have any conversations with  
12 Ms. Branstetter about how she was being paid for your  
13 case?

14 A. No.

15 Q. Okay.

16 A. That was kind of self-explanatory --

17 Q. Well --

18 A. -- OIDS, Oklahoma Indigent Defense System; so  
19 they're paid by Oklahoma.

20 Q. Okay. And do you have any belief, as we sit  
21 here today, that how Ms. Branstetter was paid  
22 impacted her representation of you?

23 A. I don't know how to answer that.

24 Q. Well, what are we -- what's your struggle  
25 with that question? We'll try to -- let's try to

1 work through it.

2 A. I mean, because I don't know how -- I mean,  
3 I believe that, since she wasn't getting -- I mean, I  
4 don't know what she was getting paid. I don't know  
5 what OIDS -- I don't know what Oklahoma pays her. I  
6 don't know. I know that she is a -- it's either  
7 freelance or a very minimal amount of money that OIDS  
8 gets when you're a court-appointed attorney, and it's  
9 not the amount that -- say, I hired her myself --  
10 what I would have paid her. I believe that if she  
11 was getting paid more, by an individual, that she  
12 would have worked harder for that individual.

13 Q. Okay. I think I understand --

14 A. I believe --

15 Q. Sorry.

16 A. Sorry. I believe -- I believe that OIDS does  
17 the work that they get paid for and nothing more.

18 Q. Let me ask you this: Knowing what you know  
19 now about the fines and fees and costs and what  
20 potential charges you were facing and that -- we just  
21 looked at Exhibit 14 and saw that your drug court  
22 application had been denied.

23 Considering all of those separate factors, is  
24 there some piece of information that, as you and I  
25 sit here today, if you knew it back then when you

1     accepted the plea -- is there some piece of  
2     information which would make you go back and reject  
3     that plea?

4             MR. TERRILL: Object to form.

5             You can answer. You can answer, if you can.

6             THE WITNESS: That's still really hard to  
7     answer because -- yeah. I actually think I would  
8     have rejected it. I think I would have sat there  
9     longer and made them give me a different attorney.

10     BY MR. WILLIFORD:

11             **Q. Okay.**

12             A. I didn't know -- at that point in time, I did  
13     not know that I was legally able to fire her and ask  
14     for another one. I think I would have sat in county  
15     longer and waited for a different attorney.

16             **Q. Okay. Fair enough.**

17             **And that still would have been a**  
18     **court-appointed attorney; correct?**

19             A. I mean, yeah. Probably.

20             **Q. Give me one second. Let me pull up a**  
21     **document here. Bear with me. This is my first time**  
22     **doing these. Okay. Let me show you a document.**  
23     **This will be Exhibit 15.**

24             (Whereupon, Deposition Exhibit No. 15 was  
25     marked for identification and made part of the

1 record.)

2 BY MR. WILLIFORD:

3 Q. Can you see the document that we're looking  
4 at?

5 A. Yes.

6 Q. Have you ever seen this before?

7 A. I can't -- I don't recall.

8 Q. If we look at it, this is Amanda Marie  
9 Ackerson. That's you; correct?

10 A. Yeah. Oh, this is the waiver of -- sorry,  
11 now that I see it in front of me, it's the waiver  
12 of --

13 MR. TERRILL: Oh, I'm sorry. I got the  
14 wrong one. I had the waiver of jury trial. You're  
15 talking about the waiver --

16 MR. WILLIFORD: That's right.

17 MR. TERRILL: -- of preliminary hearing.  
18 I've got it right here. I had the wrong one.

19 MR. WILLIFORD: That is okay. That  
20 happens.

21 BY MR. WILLIFORD:

22 Q. Okay. Do you have that? What we've marked  
23 as Exhibit 15, do you have that in front of you,  
24 Mrs. Feenstra?

25 A. Yes. I think this was when I was still --

1 that I waived this because I was still under the  
2 influence -- or under the impression that I would  
3 have drug court. So I think that's why I waived the  
4 preliminary. I'm not for sure.

5 Q. If we scroll down just a bit, kind of towards  
6 the end of that first page, it says it was done in  
7 open court this 18th day of February, 2000 -- we know  
8 it's 2015, don't we?

9 A. Yes.

10 Q. Okay. Just because that 2000 and then 1 and  
11 whatever that number is after is kind of hard for me  
12 to read. So I'm just sort of assuming, based upon  
13 all the other dates of your charges in your case,  
14 that we're looking at 2015.

15 Do you think that's fair, ma'am?

16 A. Yes.

17 Q. Because, I mean, does that look like a 2015  
18 to you, just so we're on the same page?

19 A. I mean, it doesn't look like one to me, but  
20 I'm under the impression that it's 2015.

21 Q. All right. Fair enough.

22 And right beneath that date, there is a  
23 signature. Is that your signature?

24 A. Possibly -- well, both -- maybe. Yeah.

25 Q. Do you recall going to court on February --

1 on or around February 18th and signing this form or  
2 waiving your right to a preliminary hearing?

3 A. I mean, it looks like I did. I don't recall.

4 Q. Okay. And there's a signature, "Attorney for  
5 Defendant," right beside that. It looks like  
6 Linda Branstetter. Do you see that?

7 A. Uh-huh.

8 Q. Approximately, how many court appearances did  
9 you make with Ms. Branstetter, in total?

10 A. I don't know.

11 Q. Okay. Would it be, you know, more than 10?

12 A. No. Nowhere near, no.

13 Q. Okay. Five?

14 A. It would be less than a handful. I mean --

15 Q. Okay. So less than five?

16 A. I mean, I would think maybe once or twice --  
17 like once or twice.

18 Q. And she did come to meet you at least on a  
19 couple of occasions --

20 A. No --

21 Q. -- in jail?

22 A. -- she didn't ever come to the jail, no.

23 Q. Okay. I thought when we were talking earlier  
24 about the --

25 (Reporter clarification.)

1 BY MR. WILLIFORD:

2 Q. Mrs. Feenstra, I apologize. I'll do my best  
3 to not talk over you.

4 I thought you had told Mr. Pederson that when  
5 you filled out the plea paperwork, that you -- it was  
6 done behind glass in jail. Am I misremembering that?

7 A. That was what I was trying to tell you, was  
8 that's the only time she came and visited me.

9 Q. Okay. So every other time that you met with  
10 Ms. Branstetter was in the courthouse; is that fair?

11 A. In the courtroom, yes.

12 Q. And the only time she came to visit you in  
13 prison was to fill out the plea paperwork; is that  
14 correct?

15 MR. TERRILL: Objection.

16 THE WITNESS: County jail.

17 MR. TERRILL: Object to the form.

18 BY MR. WILLIFORD:

19 Q. County jail.

20 The only time she visited you in the county  
21 jail was to fill out the plea paperwork; is that  
22 right?

23 A. That's correct. That I recall, yes.

24 Q. Do you have any plans in the future to file a  
25 motion for the Rule 8 hearing like you did for your

1 husband?

2 MR. TERRILL: Object to form.

3 You can answer.

4 THE WITNESS: I didn't know until today  
5 that I could actually do that for me; so I was  
6 going -- on the 20th, I will talk to Judge Thomas or  
7 whatever judge I see about that.

8 BY MR. WILLIFORD:

9 Q. Okay. Did anybody at the courthouse ever  
10 lead you to believe -- ever give you the  
11 impression -- that you were unable to file that  
12 motion, that Rule 8 motion on behalf of yourself?

13 A. I did not know that I could.

14 Q. That's what --

15 A. I didn't know I could.

16 Q. What led you to that belief?

17 A. Because nobody told me that I could. I'm not  
18 an attorney. I don't know the legal rights of  
19 things.

20 Q. No. I understand. I'm just trying to get to  
21 the -- to your understanding of that process.

22 And when your husband went in for his Rule 8,  
23 he was able to get a substantial reduction of his  
24 fees and costs that he owed; correct?

25 A. Yes.



1 Q. I want to bounce back to a topic that we  
2 talked about earlier; okay? About how  
3 Ms. Branstetter was being paid.

4 And you told me that you thought if she was  
5 being paid more, that she probably would have done  
6 more work for you; is that correct?

7 A. Yes.

8 Q. Would it also be -- since you didn't know how  
9 much or how she was being paid by the state, would it  
10 also be fair to say that that didn't have any impact  
11 at the time on your belief as to the quality of her  
12 representation?

13 MR. TERRILL: Object to form.

14 You can answer, if you know.

15 THE WITNESS: Re -- rephrase that in a  
16 different way. Re-say it again.

17 BY MR. WILLIFORD:

18 Q. Sure. Let me try. Let me try.

19 Okay. You told us you didn't know how  
20 Mrs. Branstetter was being paid; correct?

21 A. Yes.

22 Q. Do you know -- did you know at the time --  
23 back in 2015, did you have any knowledge as to how  
24 her contract with the State of Oklahoma was  
25 structured?

1 A. No. I still don't know --

2 Q. Okay.

3 A. -- how it's structured.

4 Q. So you didn't know if, say, she got all of  
5 her money from the State of Oklahoma, say, at the  
6 beginning of the year, or at the end of the year, or  
7 paid out throughout the year; is that correct?

8 A. I don't know that information, no.

9 Q. So, as we sit here today, then, you can't  
10 tell us that how she was paid, the structure in which  
11 Mrs. Branstetter was paid, had anything whatsoever to  
12 do with her representation of you; is that fair?

13 MR. TERRILL: Object to form.

14 You can answer.

15 THE WITNESS: I mean, not on how she was  
16 paid. But, I mean, I believe it was because she was  
17 paid little, and I don't know how else to say that.  
18 And I feel like you're --

19 BY MR. WILLIFORD:

20 Q. Okay.

21 A. And I feel like your wording of things are  
22 confusing me and complicating things. And, like, I  
23 don't know how she got paid. I wasn't -- I'm not a  
24 fly on the wall, I'm not her boss, I'm not her  
25 partner. I have no idea. I know, because everybody

1 knows, that OIDS attorneys get paid less than normal  
2 attorneys and they never work for you. They do what  
3 the district attorney wants them to do. Every  
4 criminal person knows that. And that's all the  
5 further I can say on that.

6 Q. Okay. I apologize. I'm not trying to  
7 confuse you or any of that. I appreciate your  
8 response, but I'm not trying to do that --

9 A. I'm sorry, I didn't mean to be rude about  
10 that. I apologize.

11 Q. No. I understand. I understand.

12 But you've made some very specific allegations  
13 in this case, and it's my job to try to figure out  
14 what you know about those allegations and what --  
15 you know, what those beliefs are. And so that's what  
16 I'm trying to get to.

17 MR. WILLIFORD: Can we take, like, a --  
18 hold on. I hit the wrong button.

19 Can we take just like 5 minutes, let me look  
20 back over my notes and make sure that I get  
21 everything because I'm about finished.

22 MR. TERRILL: Sure.

23 THE REPORTER: We're off the record at  
24 1:40 p.m.

25 (Break was taken: 1:40 p.m. to 1:52 p.m.)

1 THE REPORTER: Back on the record. The  
2 time is 1:52 p.m.

3 BY MR. WILLIFORD:

4 Q. Okay. Ms. Feenstra, back on the record real  
5 quick.

6 I want to show you another document. I don't  
7 think we have looked at this just yet. So if we have  
8 haven't, this is -- I believe this would be  
9 Exhibit 16.

10 MR. WILLIFORD: Is that correct on  
11 everybody's count?

12 THE REPORTER: Yes.

13 (Whereupon, Deposition Exhibit No. 16 was  
14 marked for identification and made part of the  
15 record.)

16 BY MR. WILLIFORD:

17 Q. I'm going to scroll down so we can get to  
18 what it is.

19 Have we looked at this yet, Ms. Feenstra, and I  
20 just fell asleep?

21 A. I don't think so.

22 MR. TERRILL: Sorry, Jon. Are these  
23 materials that you sent or are these part of Devan's  
24 materials?

25 MR. WILLIFORD: I don't remember if I sent

1 this one or not. I know I meant to. So if I didn't,  
2 I apologize. And I saw a transcript in Devan's  
3 materials, and I probably -- if I didn't send it, I  
4 just got confused. So I apologize.

5 BY MR. WILLIFORD:

6 Q. Ms. Feenstra, this is -- what we're calling  
7 Exhibit 16, it's a transcript -- it says right  
8 there -- of the plea proceedings held April 1st,  
9 2015, before Curtis DeLapp.

10 Do you see that?

11 A. Yes.

12 Q. Have you ever seen this transcript before?

13 A. I don't think so, no.

14 Q. Okay. Let me scroll down for a bit and we'll  
15 see appearances. We have Jared Sigler as the  
16 assistant district attorney and Linda Branstetter as  
17 attorney at law on behalf of defendant. So she was  
18 there on behalf of you; is that right?

19 A. Yes.

20 Q. Let me scroll down a little bit more. And  
21 right at the beginning, you can see where you were  
22 sworn in. Do you see that?

23 A. Yes.

24 Q. And do you have any memory of this particular  
25 hearing outside of looking at any of this transcript

1 from April 1st?

2 A. I think that's when I entered my plea  
3 agreement.

4 Q. Okay. Do you remember being sworn in by  
5 Judge DeLapp?

6 A. Yes.

7 Q. And here, kind of around line 12, the court  
8 asks you:

9 "And you have Ms. Branstetter as your  
10 attorney and gone over this paperwork; is  
11 that right?"

12 And you answer: "Yes, sir."

13 Do you see that?

14 A. Yes.

15 Q. I'm going to scroll down just a bit more.  
16 And you see here, at line 3, it starts where the  
17 court goes through your -- what these charges --  
18 their maximum and what they carry. Do you see that?

19 A. Yes.

20 Q. And at the time, you told him that you  
21 understood that. Do you see that?

22 A. Yes.

23 Q. And if we scroll down a little bit more, we  
24 see the court is outlining what the state is  
25 recommending in the plea agreement. Do you see that?

1 A. Yes.

2 Q. Okay. You know, take a quick minute and just  
3 read that for me, just so we're on the same page,  
4 just from lines 8 to 18.

5 A. Okay.

6 Q. Okay. And was that your understanding of  
7 what the agreement was going to be?

8 MR. TERRILL: Object to form.

9 You can answer.

10 THE WITNESS: That was before they changed  
11 it because this one says 7 years to serve.

12 BY MR. WILLIFORD:

13 Q. Okay.

14 A. And they changed it -- they changed it to  
15 6 years upon completion of RSAT. So I don't know why  
16 that's not in there. I don't know.

17 Q. Well, we'll get to that because that does get  
18 corrected here in just a second, but I just wanted to  
19 have you look at that part.

20 And on line 14 and 15, the court tells you that  
21 on each of these is a \$500 fine, \$250 VCA, the court  
22 costs, penalty assessment.

23 Do you see that?

24 A. Yeah. I see it now, yes.

25 Q. Do you have any memory of the court telling

1 you that when you went to enter your plea?

2 A. I knew that I was going to have some of  
3 the -- I didn't -- I guess I never heard -- I didn't  
4 hear that -- each of these. I knew I was going to  
5 have some, yes.

6 Q. Okay. And a little bit further down on that  
7 same page here of Exhibit 16, line 20 and 21, you ask  
8 the court to make a statement. Do you see that?

9 A. Yeah.

10 Q. And the court allows that; correct?

11 A. Yeah.

12 Q. And then you -- it kind of broke in half  
13 here. Let me see if I can get it all on the same  
14 page. No.

15 Okay. Here's what your statement was:

16 "I was under the impression last  
17 time -- we come to court on the 4th of last  
18 month, we were putting it off to today for --  
19 because I was getting the restitution thing,  
20 but they were going to drop it from a 7 to a  
21 6 is what I was under the impression."

22 Do you see that?

23 A. Yes, I see that.

24 Q. Okay. So you were the one that corrected  
25 them, like you just did, where it went from 7 to 6.



1 Is that what you were doing here?

2 A. Yes.

3 Q. Okay. And when you mention in this paragraph  
4 here about the "restitution thing," is that the RSAT  
5 or is that restitution? What is your understanding  
6 of what that is?

7 A. I don't remember what that was about.

8 Q. Okay. But at least at this court  
9 appearance --

10 A. I think --

11 Q. -- the court --

12 A. I think what I was meaning whenever I said  
13 that -- I think, when I said I was getting the  
14 restitution thing, was the fines and be costs.  
15 Because whenever we had initially went over the fines  
16 and costs, I told them that I couldn't pay it, but  
17 they told me I had to, that it was part of it.

18 Q. Okay.

19 A. I think that's what I meant by that. I'm not  
20 for sure.

21 Q. And here, the same page, a little bit down,  
22 line 8, the court asks you if you are able to pay it  
23 upfront, and you tell him no. And you reiterate how  
24 you told him that last time. Do you see that?

25 A. Yes.

1 Q. And then, again, in your statement -- and I  
2 don't want to, you know, paraphrase it. I mean, we  
3 can read the whole thing.

4 It says:

5 "No. I said that last time. That's  
6 why it was put off still, is because there  
7 was supposed to be some paperwork that he  
8 didn't have drawn up that he was supposed to  
9 get together, is what I was under the  
10 impression, so it was going to go down to a  
11 6."

12 And again, you were expressing your  
13 understanding that the plea was supposed to be for  
14 6 years. Is that what you're doing here?

15 A. Yes.

16 Q. Okay. And would it be fair to say that that  
17 was kind of the main concern of yours, was not doing  
18 7 years but 6?

19 A. Because I was already told that, no matter  
20 what, I had to do the fine -- I was going to have the  
21 restitution.

22 Q. Right.

23 A. I was -- I mean, I had already thought that I  
24 already figured out the -- because I had already told  
25 them I couldn't pay those fines and costs; so I

1 already had it figured out that I was going to work  
2 at the courthouse.

3 Q. Okay.

4 A. So I wasn't concerned about that in this. I  
5 was concerned about the years because that was what  
6 was not lined out.

7 Q. Right.

8 And the court allowed you to correct that  
9 position of the state at this hearing; correct?

10 MR. TERRILL: Object to form.

11 You can answer.

12 THE WITNESS: Yeah.

13 BY MR. WILLIFORD:

14 Q. And then the court strikes your plea and then  
15 he continues it until April 29th at 9:00.

16 Okay. You know you've sued Mr. Craig Sutter as  
17 the -- he's the executive director of OIDS, and  
18 you've sued OIDS as an entity itself.

19 Let me ask you: As we sit here today, what is  
20 it you would like -- what do you think Mr. Sutter  
21 individually can do? What would you like to see him  
22 do in this case?

23 A. I mean, if I'm correct, that's the attorneys'  
24 bosses -- or boss. So if that's who he is, then he  
25 should let his OIDS attorneys know that they should

1 work for their clients just like they would if they  
2 were paid by an individual.

3 Q. Okay. What about OIDS as an entity, as an  
4 institution, what do you think -- what would you like  
5 to see them do in this case?

6 A. Again, I want them to work for the defendant  
7 as if they were being paid to actually work for that  
8 defendant, like fight for them. Don't take just  
9 whatever plea comes out of them so you can get out of  
10 that case and go on to the next one. That's not  
11 fair.

12 Q. Okay.

13 A. It shouldn't matter if it takes a year or two  
14 to make -- to come to an agreement that will be good  
15 for both sides. Don't -- I mean, take your time and  
16 do what you should do as a lawyer.

17 Q. No. I understand. I appreciate that.

18 Mrs. Feenstra, I don't believe that I have any  
19 additional questions for you. Is there any part of  
20 your prior testimony that you've given today -- I  
21 know it's been a long day, and I appreciate it.

22 Is there anything about your prior testimony,  
23 whether it be to me whether it be to Mr. Pederson,  
24 that you'd like to go back and change or adjust or  
25 modify?

1 A. I don't believe so, no.

2 Q. Okay. Do you believe that I've been fair  
3 with you in my questions, for the most part?

4 A. From what I understood, yes.

5 Q. Fair enough.

6 MR. WILLIFORD: I don't have any more  
7 questions for you, Ms. Feenstra.

8 THE WITNESS: Thank you, sir. You have a  
9 great day.

10 MR. WILLIFORD: You, too.

11 CROSS EXAMINATION

12 BY MR. TERRILL:

13 Q. All right. Mrs. Feenstra, I'm going to ask  
14 just a few questions and then we'll wrap up and get  
15 out of here, assuming that -- Devan may have some  
16 more questions -- Mr. Pederson may have some more  
17 questions.

18 But going to --

19 MR. TERRILL: Court Reporter, can you hear  
20 me okay?

21 THE REPORTER: I can. You're a little  
22 soft, but I can hear you.

23 MR. TERRILL: I'll try to speak up.

24 BY MR. TERRILL:

25 Q. At some point, you've discussed the different

1 conversations that you had with your OIDS attorney,  
2 Ms. Branstetter; correct?

3 A. Yes.

4 Q. All right. And at some point, in some  
5 measure or to some extent, the fines, fees, and costs  
6 was discussed briefly; right?

7 A. Briefly.

8 Q. Did Ms. Branstetter ever tell you how much  
9 your fines would be?

10 A. No.

11 Q. Did Ms. Branstetter ever tell you how much  
12 your costs would be?

13 A. No.

14 Q. Did she ever tell you how much your fees  
15 would be, to the extent that that's a different -- a  
16 different measure of financial obligation?

17 A. No.

18 Q. Did Ms. Branstetter tell you what your total  
19 monthly responsibility would be?

20 A. No.

21 Q. Kind of like Mr. Williford, I'll be jumping  
22 around real briefly, but when was the first time that  
23 you knew how much you owed in total fines, fees, and  
24 costs?

25 A. Within the last year.

1 Q. So that would have been during the course of  
2 this litigation. Is that what you're saying?

3 A. Yes.

4 Q. So when was the first time that you  
5 understood you owed more than \$12,000 to  
6 Washington County?

7 A. It was during a meeting with my attorney.

8 Q. Both counsel had asked you -- you were asked  
9 some questions about filing a Rule 8 motion. I think  
10 it was in regards to your husband; is that right?

11 A. Yes.

12 Q. Did any judge in Washington County ever tell  
13 you that you had the option of filing a Rule 8 motion  
14 to reduce your financial exposure?

15 A. No.

16 Q. Did anyone in the Washington County  
17 courthouse, whether that be a judge, administrative  
18 person, court clerk, anyone at all, ever tell you  
19 that you had the option of filing a Rule 8 motion to  
20 knock out some of those fines, fees, or costs?

21 A. No.

22 MR. TERRILL: I don't have any other  
23 questions at this point in time.

24 What I would like to put on the record is:

25 At the outset, we discussed that Ms. Feenstra was

1 willing to waive the conversation -- waive privilege  
2 with respect to the conversations that she had had  
3 with her OIDS attorneys. To the extent that we want  
4 to get into any discussion about a further waiver, I  
5 would prefer that she is not in a position to try and  
6 make that decision without the advice and opportunity  
7 to have her counsel and have her discussion with  
8 counsel regarding that.

9 As you can well imagine, we've been pretty  
10 good about working back and forth with that issue.  
11 So that would be my position, is that we will talk to  
12 Ms. Feenstra and then we will coordinate with counsel  
13 regarding that waiver.

14 MR. WILLIFORD: Well, here's my only point  
15 on that, Steven, is: You guys have really been good  
16 and easy and professional to work with throughout  
17 this entire case, and I appreciate that. My  
18 understanding is -- and Lilia, I think, alluded to  
19 this -- is that the issue with the consent is coming  
20 from Ms. Branstetter.

21 So if we can get this -- because, frankly,  
22 you guys have known this was an issue since the  
23 start. If we can get something and put it on the  
24 record today and we can send over Mrs. Feenstra's  
25 under-oath testimony to Mrs. Branstetter that she



1 waives that privilege, I think we can short-circuit  
2 this whole thing.

3 Because I'll just tell you -- let me just  
4 finish. I'll just tell you that in the subpoenaed  
5 documents that I looked at -- and I think they were a  
6 result of the subpoena to Mrs. Branstetter -- there's  
7 no letters in those whatsoever. So if she has these  
8 letters and she's holding onto them, I'd like to know  
9 what's in them. And I think -- you know, I think now  
10 is the best time to do that because your client is  
11 sitting right there. And you guys have all known  
12 this was an issue since -- I mean, basically since we  
13 got in the case.

14 So, I mean, I don't know what additional  
15 counseling needs to happen, but it seems to me that  
16 this is the best time and the prime time to get that  
17 issue resolved.

18 MR. TERRILL: No, it's not. And the reason  
19 being is that I'm not going to have an attorney  
20 question my client about waiving privilege before  
21 she's had a full opportunity to discuss what that  
22 means and how it impacts her. So --

23 MR. WILLIFORD: How have you guys not had  
24 that discussion yet? I mean, like I said --

25 MR. TERRILL: It's not --

1 MR. WILLIFORD: -- this is an issue I've  
2 been -- this is an issue I've raised since day one.

3 MR. TERRILL: My point is: If you want to  
4 bring that up, you can bring that up with me. We're  
5 not going to get into a situation where you're asking  
6 my client to waive privilege on the record where she  
7 hasn't had an opportunity or she feels blind-sided.  
8 That's all --

9 MR. WILLIFORD: Okay.

10 MR. TERRILL: -- on it. And we can --

11 MR. WILLIFORD: We can take 5 minutes and  
12 you guys can -- you can tell her the same things that  
13 I've been saying since day one, and we can take it  
14 from there. But, I mean, everybody is here; so I  
15 don't see any reason not to. If, especially, the  
16 reason for not getting the full files is because  
17 Ms. Branstetter doesn't want to release them based  
18 upon the consent that you guys have sent over, let's  
19 get over that issue right now and let's get all the  
20 files. That's all I'm saying. So we can take a  
21 break, you guys can talk, and we can come back.

22 MR. TERRILL: I'm going to advise her not  
23 to answer your question until she's had an  
24 opportunity to fully discuss it with her attorneys.

25 MR. WILLIFORD: That's what I'm saying.

1 Let's take a break, you guys can have that  
2 discussion, and then let's go from there.

3 THE WITNESS: But my attorneys aren't all  
4 present right now.

5 MR. TERRILL: I'll take care of it.

6 THE WITNESS: Sorry.

7 MR. TERRILL: So let's -- are you guys --

8 MR. WILLIFORD: I mean --

9 MR. TERRILL: Hold on one second. Are you  
10 guys done with your examination?

11 MR. WILLIFORD: Aside from the  
12 attorney-client privilege waiver issue -- and I don't  
13 need -- all I need from her is just to say if she  
14 waives it or not. Because again, if she's got an  
15 issue with the consent -- and I don't know what that  
16 issue is. I don't know what it could -- I mean, who  
17 knows. I haven't seen the consent that you guys sent  
18 over; so I don't know what the deal is with that.  
19 But I do know --

20 MR. TERRILL: Well, let's go off the  
21 record.

22 MR. WILLIFORD: -- if she were to testify  
23 under oath that she waives it, I don't see, like, how  
24 that would -- I don't see how Ms. Branstetter could  
25 have any objections whatsoever to turning over the

1 full file once she has that waiver from her client  
2 under oath.

3 MR. TERRILL: I don't either. And I can  
4 tell you that it's been a complete nightmare for us  
5 trying to get it.

6 But let's go off the record, and then I'll  
7 follow back up with you.

8 MR. WILLIFORD: That's fine.

9 THE REPORTER: We're off the record at  
10 2:10 p.m.

11 (Break was taken: 2:10 p.m. to 2:14 p.m.)

12 THE REPORTER: Back on the record. It's  
13 2:14 p.m.

14 MR. WILLIFORD: So back on the record.

15 My question was that we get a waiver of  
16 attorney-client privilege between your client,  
17 Mrs. Feenstra, and her attorney, Linda Branstetter,  
18 to allow us full and complete access to the files.  
19 We took a short break. You guys, I assume, at least  
20 had the opportunity to discuss it. And so that's  
21 where we are now.

22 MR. TERRILL: Yeah. We are totally open to  
23 having this conversation. I'm not going to be in a  
24 position to where she doesn't have the full  
25 opportunity to discuss it at greater length. So at

1 this point in time, on the record, I'm going to  
2 advise her to hold off on answering one way or the  
3 other any waiver of a privilege on the record until  
4 she's had a chance to fully discuss it in greater  
5 detail, at greater length, with her team of  
6 attorneys, and then we'll follow up with you.

7 I'm not trying to be an obstructionist, I'm  
8 not trying to be difficult, but, at the same time, I  
9 need to have that conversation and not just right now  
10 on the record and not just now under those  
11 circumstances.

12 We will work with you about the entire issue  
13 with Ms. Branstetter and go from there.

14 MR. WILLIFORD: Okay. That's fine. I  
15 understand that.

16 Let's do this: Since, obviously, we're not  
17 going to get to Lonnie -- Mr. Feenstra -- today, can  
18 you guys -- if we don't get it resolved, can you guys  
19 have that discussion with him before we have his  
20 deposition?

21 MR. TERRILL: Certainly.

22 MR. WILLIFORD: All right. Awesome.

23 Then I don't have anything else. I don't  
24 know if Devan has any questions or not, but I'm good.

25 I appreciate your time, Ms. Feenstra.

1 THE WITNESS: Thank you, sir. I appreciate  
2 you and dealing with me having an attitude a little  
3 bit.

4 MR. WILLIFORD: You're fine. I understand.  
5 No problems at all.

6 MR. PEDERSON: This is Devan. I don't have  
7 any other questions.

8 MR. TERRILL: We will read and sign.

9 (Record concluded, 2:16 p.m.)

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JURAT PAGE

FEENSTRA VS. SIGLER, ET AL.

JOB FILE # 147980

STATE OF OKLAHOMA

SS

COUNTY OF OKLAHOMA

I, Amanda Feenstra, do hereby state under oath  
that I have read the above and foregoing deposition  
in its entirety and that the same is a full, true and  
correct transcript of my testimony so given at said  
time and place, except for the corrections noted.

\_\_\_\_\_  
Amanda Feenstra

Subscribed and sworn to before me, the undersigned  
Notary Public in and for the state of Oklahoma, by  
said witness \_\_\_\_\_, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

JOB FILE # 147980

ERRATA SHEET

FEENSTRA VS. SIGLER, ET AL.

DEPOSITION OF AMANDA FEENSTRA

REPORTER: CHERYL D. RYLANT, CSR, RPR

DATE DEPOSITION TAKEN: NOVEMBER 12, 2020

JOB FILE # 147980

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CERTIFICATE

STATE OF OKLAHOMA  
SS  
OKLAHOMA COUNTY

I, Cheryl D. Rylant, Certified Shorthand Reporter within and for the state of Oklahoma, certify that the above-named witness was sworn, that the deposition was taken in shorthand and thereafter transcribed; that it is true and correct; and that it was taken on November 12, 2020, in Edmond, county of Oklahoma, state of Oklahoma, pursuant to Notice and the Federal Rules of Civil Procedure and under the stipulations set out, and that I am not an attorney for nor relative of any of said parties or otherwise interested in the event of said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 20th day of November, 2020.



CHERYL D. RYLANT, CSR, RPR  
Certificate No. 1448

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